

(2025) 12 UK CK 0037

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1252 Of 2025

Gurvinder Singh

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 15, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 386, 506
- Constitution Of India, 1950 - Article 21, 226

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Deepak Petshali, Deepak Bhardwaj

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The present Application has been filed for anticipatory bail in Case Crime No. 688 of 2020, registered at Kotwali Roorkee, District Haridwar under Section 386 and Section 506 of the Indian Penal Code, 1860. .
2. The Anticipatory Bail Application of the applicant has been rejected by the learned Ist Additional Sessions Judge, Roorkee, District Haridwar on 02.12.2025.
3. According to the First Information Report dated 16.12.2020, the applicant and other co-accused threatened the informant on 15.12.2020 that if he did not give Rs.10,00,000/-, they would kill him and his children.
4. Heard Mr. Deepak Petshali, learned counsel for the applicant and Mr. Deepak Bhardwaj, learned Brief Holder for the respondent.
5. Mr. Deepak Petshali, Advocate, has submitted that the allegations are false and fabricated. Applicant was at his house at the time of the alleged incident. The informant is the relative of the co-accused Manoj Kumar. The informant has a property dispute with his father. The co-accused Manoj Kumar was trying to resolve the said dispute. Applicant was supporting the father of the informant. For this reason, the applicant has been falsely implicated by the informant. Applicant was not arrested during the course of the investigation. He was granted protection in a Writ Petition, filed under Article 226 of the Constitution of India. Now, charge-sheet has been filed, therefore, there is no chance of tampering with the evidence. Applicant is not a convicted person. He is a permanent resident of District Meerut, Uttar Pradesh, therefore, there is no possibility of his absconding, and, Manoj Kumar, the co-accused of similar role, has already been granted anticipatory bail by this Court in the Anticipatory Bail Application No. 1235 of

2025.

6. Mr. Deepak Bhardwaj, Brief Holder, has opposed the anticipatory bail application orally.

7. Personal liberty under Article 21 of the Constitution of India is very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

8. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, the present Application, filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant Gurvinder Singh, he shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, to the satisfaction of the Arresting Officer, subject to the following conditions: -

(i) Applicant shall attend the trial court regularly and he shall not seek any unnecessary adjournment;

(ii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

(iii) Applicant shall not leave the country without the previous permission of the trial court.

9. It is made clear that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.