Court No. - 68
Case :- CRIMINAL MISC. BAIL CANCELLATION APPLICATION No. - 112 of 2019

Applicant :- Vijay Shankar Yadav
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Muktesh Kumar Singh
Counsel for Opposite Party :- G.A.,Shri Prakash Dwivedi

Hon'ble Dr. Gautam Chowdhary,J.

1. Case called out. None appears for the applicant to press the bail application, although the name of the learned counsel for the applicant has been shown in the cause list. None is also present for the opposite party No. 2.

2. The instant bail cancellation application has been moved on behalf of the informant for cancelling the bail granted to the accused-opposite party no.2 in Case Crime No. 39 of 2019, under Sections 363, 376-D, 323, 506, 342 I.P.C. and Section 3/4 of Protection of Children From Sexual Offences Act, Police Station Vindhyachal, District Mirzapur.

3. It has been contended on behalf of applicant-informant in the affidavit accompanying to the present bail application that the accused-opposite party no.2 was granted bail subject to the conditions contained in the bail order, however, the accused-opposite party no.2 after released from jail started making pressure and giving threatening to the applicant to compromise the matter and in this regard, an application 05.02.2019 was also sent to the Superintendent of Police, Mirzapur, copy of which is annexed as Annexure-10 to the affidavit accompanying the bail application.

4. Learned A.G.A. submits that the informant has a remedy available under the Witness Protection Scheme Scheme, 2018 and thus the instant bail cancellation application may be disposed of in the light of protection granted to the witnesses under the Witness Protection Scheme, 2018.

5. In view of the submissions made by learned A.G.A., this Court is of the opinion, that the applicant has remedy available to him under Witness Protection Scheme, 2018, which scheme has been approved by Hon'ble Apex Court in **Mahender Chawla and others Vs. Union of India** reported in **(2019) 14 SCC 615**.

6. Accordingly, present bail cancellation application is disposed of with a direction, in case, the informant-applicant moves appropriate application on the proforma prescribed in the Witness Protection Scheme 2018 alongwith a certified copy of this order for redressal of his grievances, as raised in the instant bail cancellation application, before the competent authority as has been defined under Section 2 (c) of the Witness Protection Scheme, 2018 within a week from today, same shall be considered and decided as expeditiously as possible, preferably within a period of one month from date of filing such application, strictly in accordance with the Witness Protection Scheme 2018.

Order Date :- 28.10.2023
Mustaqeem.

Digitally signed by :-
MOHD MUSTAQEEM KHAN
High Court of Judicature at Allahabad