

Court No. - 68

Case :- CRIMINAL MISC. BAIL CANCELLATION
APPLICATION No. - 312 of 2022

Applicant :- Veerpal Singh

Opposite Party :- State Of U.P.And Another

Counsel for Applicant :- Rajeev Kumar Rai

Counsel for Opposite Party :- G.A.,Mayank Yadav,Vivek Kumar Singh

Hon'ble Dr. Gautam Chowdhary,J.

1. The instant bail cancellation application has been moved on behalf of the informant-applicant for cancelling the bail granted to the accused-opposite party nos.2 namely, Indra Singh in Case Crime No.221 of 2018 under Sections 498A, 304B I.P.C., Section 3/4 of Dowry Prohibition Act, Police Station Kotwali Nagar, District Bulandshahr.

2. List revised. None appears to press this bail cancellation application on behalf of the applicant, however Sri Mayank Kumar Singh, learned counsel for the opposite party no.2 is present.

3. It has been averred in paragraph nos.10 of the affidavit accompanying the bail cancellation application that the opposite party nos.2 after released from jail started tampering the evidence and extending threats to the applicant and other witnesses and in this regard, N.C.R. was also lodged being NCR No. 432 of 2018 under Section 506 I.P.C. It is thus prayed that the bail granted to the accused-opposite party no. 2 may be cancelled.

4. Learned A.G.A. as well as learned counsel for the accused-opposite party no.2 submits that the informant-applicant 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. Keeping in mind that the instant bail cancellation application has been filed in the year 2018, thus in such circumstances in case, the trial has not yet not been concluded and that the informant-applicant apprehends danger to his life and liberty, the applicant may move 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.

7. Office is directed to communicate the order passed by this Court to the concerned Court below.

8. With the aforesaid observations, the instant bail cancellation application stands disposed of.

Order Date :- 13.10.2023

S.Ali