

Court No. - 68

Case :- CRIMINAL MISC. BAIL CANCELLATION
APPLICATION No. - 583 of 2023

Applicant :- Rekha Shukla

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Arvind Kumar Srivastava, Archana Srivastava

Counsel for Opposite Party :- G.A., Aditya Kumar Tripathi

Hon'ble Dr. Gautam Chowdhary, J.

1. Case called out in the revised list. None appears for the informant/ applicant to press this bail cancellation application, although the name of the learned counsel for the applicant has been shown in the cause list. However, learned A.G.A. for the State as well as learned counsel for the accused/ opposite party No. 2 are present.

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. 36 of 2018 (S.T. No. 343 of 2018), under Section 302 I.P.C., Police Station Chtrahat, District Agra.

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 dated 07.01.2023 was also sent to the S.H.O. of concerned police station as well as to Senior Superintendent of Police, Agra, copy of which is annexed as Annexure-4 to the affidavit accompanying the bail cancellation application.

4. Learned A.G.A. as well as learned counsel for the opposite party No. 2 submit 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 :- 1.11.2023

Mustaqeem.