



2025:UHC:11125

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

12th DECEMBER, 2025

ANTICIPATORY BAIL APPLICATION NO.784 of 2025

Shamshad Applicant

Versus

State of Uttarakhand Respondent

Counsel for the Applicant : Mr. Anuj Kumar Tyagi, Advocate
(through video conferencing).

Counsel for the Respondent : Mr. Sandeep Sharma, Assistant
Government Advocate.

Hon'ble Alok Kumar Verma,J.

The present Application has been filed for anticipatory bail in Case Crime No. 242 of 2025, registered at Kotwali Gangnagar, District Haridwar. Charge-sheet has been filed against the applicant for the offence punishable under Sections 64(2)(m), 78(2), 115(2), 351(3) and Section 352 of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Mr. Anuj Kumar Tyagi, learned counsel for the applicant and Mr. Sandeep Sharma, learned Assistant Government Advocate for the respondent.

3. Notice was issued to the victim. As per the report of the Registry, notice has been served personally on the victim. There is no representation from the



victim.

4. The First Information Report was registered on 07.06.2025. Mr. Anuj Kumar Tyagi, Advocate appearing for the applicant contended that the applicant and the alleged victim were in live-in relationship. The physical relationship was established between them with the free will of the alleged victim. Subsequently, he was married to the alleged victim on 03.06.2025. Applicant has no criminal antecedents. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence. Applicant was granted interim bail on 14.08.2025, and, the conditions of the interim bail have not been violated by him.

5. Mr. Sandeep Sharma, Assistant Government Advocate, has opposed the anticipatory bail application.

6. 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.

7. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on



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the merits of the case, the present Anticipatory Bail Application is allowed and the order dated 14.08.2025, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant Shamshad, 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.

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

ALOK KUMAR VERMA, J.

Date: 12.12.2025
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