



2025:UHC:11113

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

12TH DECEMBER, 2025

SECOND ANTICIPATORY BAIL APPLICATION NO.54 of 2025

Gurvinder Rathi Applicant

Versus

State of Uttarakhand Respondent

Counsel for the Applicant : Mr. Aditya Pratap
Singh, Advocate.

Counsel for the Respondent : Mrs. Sweta Badola
Dobhal, Brief Holder.

Hon'ble Alok Kumar Verma,J.

This Application has been filed for anticipatory bail in Case Crime No.101 of 2020, registered at Kotwali Roorkee, District Haridwar. A charge-sheet has been filed against the applicant under Sections 307, 506 and Section 120B of the Indian Penal Code, 1860.

2. An Anticipatory Bail Application (No.1182 of 2025) was filed by the applicant. He was granted liberty to file anticipatory bail application before the Sessions Court (Annexure No.1). Learned Ist Additional Sessions Judge, Roorkee, District Haridwar has rejected the anticipatory bail application of the applicant on 12.11.2025.



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3. According to the First Information Report dated 30.01.2020, on 29.01.2020, Rampal Kashyap, the uncle of the informant was coming back after closing his shop. The named accused Rajat Sharma opened fire on his uncle which hit his back and his head.

4. Heard Mr. Aditya Pratap Singh, learned counsel for the applicant and Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondent.

5. Mr. Aditya Pratap Singh, Advocate, contended that the applicant was not named in the First Information Report. He has been falsely implicated by the Investigating Officer during the course of the investigation. On 29.01.2020, he was in Prayagraj, Uttar Pradesh. He was not arrested during the investigation. He was granted interim protection by this Court in Writ Petition No.370 of 2020. He is not a convicted person. He is a permanent resident of District Meerut, Uttar Pradesh, therefore, there is no possibility of his absconding, and, charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence.

6. Mrs. Sweta Badola Dobhal, learned 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, without commenting on the merits 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 Rathi, 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. In case of breach of any of the above



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conditions, the Prosecution Agency will be at liberty to
file appropriate application for cancellation of
anticipatory bail granted to the applicant.

ALOK KUMAR VERMA, J.

Dt:12.12.2025
Neha

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