

Judgment reserved on:29.07.2026
Judgment delivered on:06.08.2026

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Second Bail Application No.34 of 2026

Robin. Applicant.

Versus

State of Uttarakhand. Respondent.

Present:

Mr. S.R.S. Gill, Ms. Suraiya Naz, learned counsel holding brief of Mr. Lalit Sharma, learned counsel for the applicant.

Mr. Tumul K Nainwal, learned AGA, for the State of Uttarakhand.

Mr. Piyush Garg, learned counsel for the CBI.

Hon'ble Mr. Justice Rakesh Thapliyal, J.

1. The instant second bail application is moved by the applicant – Mr. Robin S/o Shri Kamal Veer. Earlier the first bail application was rejected by a detail order dated 24.07.2025 after hearing the learned counsel for the applicant as well as learned Additional Advocate General for the State and learned counsel for the complainant.

2. The applicant “Robin” is praying for bail in reference to FIR dated 13.12.2024, bearing FIR No.0307 of 2024, registered at P.S. Khanpur, District Haridwar, wherein, the present applicant along with two others, namely, Akshay and Ankit have been implicated for the offences punishable under Sections 103 (1), 238, 3(5) and 311 of BNS, 2023. It is argued that the applicant is languishing in jail since 13.12.2024, and have no previous criminal antecedents and is a marginal farmer.

3. A detail counter affidavit is filed by the earlier Investigating Officer of local Police by contending, therein, that the offence as alleged and the manner it was committed is very heinous, and there are sufficient evidence about the involvement of the present applicant. On 11.06.2026, the applicant sought to be impleaded the

CBI as party respondent, since due to intervention of this Court the investigation has been transferred to the CBI, after observing that the investigation as carried out by the local Police is completely faulty, since some material facts were not investigated at all.

4. It is argued that now further investigation is being conducted out by the CBI and on an application moved by the CBI the Trial Court proceeding is stayed and the present applicant suffered long incarceration, as he is languishing in jail since 13.12.2024, and therefore, he may be released on bail.

5. On the other side, CBI filed their counter affidavit stating, therein, that the further investigation which is now being conducted by the CBI is in a very crucial stage, and there are sufficient material against the applicant about his involvement in the commission of crime and all the grounds as taken in the second bail application are only a technical ground and there are sufficient evidence against the applicant, and if, at this juncture when the CBI has been given a task to go with the further investigation, it is not proper the applicant be enlarged on bail, otherwise it will affect the ongoing further investigation.

6. Mr. Piyush Garg, learned counsel for the CBI, also pointed out that the conduct of the other persons are under deep scrutiny in the ongoing further investigation, which has not been investigated by the earlier Investigating Agency, and therefore, considering the nature and gravity of the offence and the fact that investigation of CBI at a crucial stage, the applicant may not be enlarged on bail, since there are all possibilities that he may misuse the liberty by influencing or tampering with the evidence or obstructing the further investigation which is being conducted by the CBI.

7. After hearing the submissions of the learned counsel for the parties and after gone through with the records as well as the order rejecting the first bail application and the fact that now the further investigation is being conducted by the CBI, which is at a crucial stage, therefore, at this juncture, it is not proper for this Court to enlarge the applicant on bail.

8. Accordingly, the instant second bail application is rejected.

(Rakesh Thapliyal, J.)

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