

| 21.<br>BA]<br>SL.<br>No. | Date | Office Notes,<br>reports, orders<br>or proceedings<br>or directions<br>and Registrar's<br>order with<br>Signatures | <div style="text-align: right;"> <br/> <b>COURT'S OR JUDGE'S ORDERS</b><br/> 2026:UHC:2772 </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                          |      |                                                                                                                    | <p>BA1 No.310 of 2026<br/>Suraj Dahiya<br/>Vs.<br/>State of Uttarakhand<br/><b><u>Hon'ble Ashish Naithani, J.</u></b></p> <p>Mr. Gaurav Singh, learned counsel for the Applicant.</p> <p>2. Mr. J.P. Kandpal, learned Brief Holder for the State.</p> <p>3. Mr. Akshay Pradhan, learned counsel for the complainant.</p> <p>4. Present bail application is moved by the applicant, who is in judicial custody in connection with FIR/Case Crime No.21 of 2026 under Section 103(1), 3(5) of the Bhartiya Nyaya Sanhita (BNS) 2023, Police Station Kotwali, Haridwar, District Haridwar.</p> <p>5. The case of the prosecution is that one person namely, Vishal, who owns the car was driven the said car on the date of incident. It is said that the applicant was a passenger in the said car and on the scene of crime which has a parking area, there was a fees stipulated to be paid for parking. On demanding the parking fee, the driver and the owner of the said car created hassle and refused to pay the same and drove the car in anguish and speed, breaking the parking barrier. After confrontation the driver and the passenger hassled with the persons managing the parking Plaza and refused to pay the fee after that the driver rash the car in ansuigh and hit one person named Sahdev with the car that resulted in his death.</p> <p>6. Learned counsel for the applicant submits that he has been falsely implicated in the present matter and he has nothing to do with the present crime. He was simply a passenger and any fault that could have been pointed out in the present crime can be related to the driver and the owner of the</p> |

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|  |  |  | <p>said car. It is requested that applicant may be enlarged on bail on whatever conditions the Court deem fit.</p> <p>7. The bail application has been opposed by the learned counsel for the complainant and it is stated that the whole scenario has been recorded in the CCTV footage where it can be clearly seen that the car in question had been driven with rash and anguish though ultimately caused injury resulting in death of the deceased Sahdev, simply because the people managing the toll Plaza asking him to pay the parking fee, which he bluntly refused and acted in rash and irresponsible act by intentionally running the car with high speed and rash, damaging the barrier of the parking Plaza.</p> <p>8. The bail application has also been opposed by learned State counsel submitting that the applicant was vary person, who instigated the driver to drive the car fast and even faster and only upon his instigation the incident and the crime related to the present matter happened and thus it is requested that the matter is serious and the bail application be rejected.</p> <p>9. After hearing the rival submission of the parties and considering the matter on record so far, this Court is of the view that it is a fit case for bail.</p> <p>10. At this juncture, without going into the merits, prima facie, it is not clear as to how can it be said with surety that present applicant was infact instigating the driver to refuse the payment of parking fee and thereafter create ruckus and instigating him to run over the car and driven it fast, with a run over damaging the parking barrier and hitting the deceased with uncontrolled speed.</p> <p>11. It is stated that the incident had been recorded in the CCTV camera but it is not clear as to whether the applicant was heard or witnessed by someone instigating the driver of the said car. He was neither the driver nor the owner of the car only on speculation of criminal instigation his liberty cannot be curtained.</p> |
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|  |  |  | <p>12. Accordingly, bail application is allowed. Let the applicant-Suraj Dahiya be released on bail on executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of court concerned.</p> <p style="text-align: right;"><b>(Ashish Naithani, J.)</b><br/>17.04.2026</p> <p>Arti</p> |
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