



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/378/2026</u> Dharampal --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Parikshit Saini, learned counsel for the applicant. 2. Mr. G.S. Sandhu, learned Addl. Advocate General with Mr. Deepak Bhardwaj, learned Brief Holder for the State. 3. Present applicant "Dharampal, son of Banarsi", is praying for regular bail in reference to FIR dated 21.01.2023 bearing FIR No. 87 of 2023 registered at Police Station - Laksar, District - Haridwar wherein present applicant along with Ahsan, Khaleel and Pradeep have been implicated for the offence punishable under Section 302, 34 IPC. 4. It is argued by the learned counsel for the applicant that applicant was arrested on 22.01.2023 and on culmination of the investigation, charge sheet was filed on 10.04.2023 only against the present applicant for the offence punishable under Section 302, and Section 201 of IPC and three other co-accused have been exonerated. He further submits that there are only two eye witnesses and uptil date, only one eye witness has been examined on 18.09.2023. He further submits that applicant is languishing in jail since 21.01.2023 and he has no previous criminal antecedents and there are in total 21 prosecution witnesses, out of which, uptill date only 4 prosecution witnesses have been examined. He concluded his arguments by submitting that there is no possibility that trial would be expedited soon, as there is no substantial progress in the trial and applicant has already suffered long incarceration of more than 3 years. 5. Per contra, learned State Counsel submits that after investigation and collecting credible evidence



			charge sheet has been filed and applicant has been found to be indulged in such heinous crime and there are two eye witnesses of the incident and if at this stage, applicant is released on bail, he may affect the ongoing trial, however, he has not disputed that applicant has no previous criminal antecedents and is languishing in jail since 22.01.2023 and out of 21 prosecution witnesses, only four prosecution witnesses have been examined. 6. After hearing the learned counsel for the parties and taking into consideration that applicant has no previous criminal antecedents and is languishing in jail since 22.01.2023 and out of the 21 prosecution witnesses, till date only 4 prosecution witnesses have been examined, therefore, there is no possibility that trial would be expedited soon and the applicant has already suffered long incarceration of more than 3 years, this Court is of the view that applicant deserves for bail. 7. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 8. Let the applicant "Dharampal, son of Banarsi", be released on bail on furnishing his personal bond and two sureties, each of the like amount to the satisfaction of the court concerned subject to the following condition: i. After being released on bail, applicant shall join the trial court proceedings on each and every date without seeking any unnecessary adjournment. ii. He shall surrender his passport, if any, in the trial court. iii. The applicant shall not temper with the evidence and will not threaten any of the witnesses. iv. The trial court will not be influenced by any of the observations, as made above and proceed with the trial on its own merit. (Rakesh Thapliyal, J.) 29.07.2026 SKS
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