



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/725/2026</u> Amandeep Kamboj --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Deepak Petshali, learned counsel for the applicant. 2. Mr. Himanshu Sain, learned AGA for the State. 3. Present applicant-Amandeep Kamboj, S/o Kashmir Lal, R/o Village Pindi, P.S. Guru Harsahai, District Firozpur, Punjab praying for bail in reference to first information report dated 01.09.2024 bearing FIR No.0700 of 2024 P.S. Kotwali Jwalapur, District Haridwar wherein as many as five unknown persons were implicated for the offences punishable under Sections 109, 310(2) and 311 of BNS, 2023. 4. In this FIR, after investigation, in total, six persons including present applicant have been charge sheeted for the offences punishable under Sections 109, 310(2), 311, 317(3) and 61(2) of BNSS, 2023. One person Satendra Pal @ Lucky was died in an encounter during investigation. 5. It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated; the recovery, as shown on his pointing out is planted one and no incriminating articles of alleged <i>looted</i> articles were recovered from the possession of applicant except some amount in currency and the remaining recovery, as shown, are from the other co-accused persons. He further submits that no specific role has been



		assigned to the applicant and the entire case of prosecution is based upon the statements of the other co-accused, which are not admissible. He also submits that the present applicant is in prolonged incarceration as he is in custody since 18.09.2024 and there are as many as 41 witnesses but up till date only two witnesses have been examined and there is no possibility that trial would be expedited soon. He submits that applicant have a criminal history also. He also submits that other co-accused, namely Praveen Kumar, S/of Late Raja Ram, Vikram Kumar, S/o Late Raja Ram and other one Deepak @ Karan, S/o Tula Ram have also been enlarged on bail, therefore, also claims parity of other co-accused. 6. On the other hand Mr. Himanshu Sain, learned AGA vehemently opposed the bail by submitting that all the accused persons belonged to Punjab, came and looted two wheelers, which was recovered on pointing out of the present applicant and the applicant was also identified during test identification parade. He submits that applicant have criminal antecedents of similar nature that too in Punjab and Himanchal Pradesh i.e. Case Crime No.130 of 2026 for the offences punishable under Section 379 B, 323 and 34 of IPC at Firozpur (Punjab) and Case Crime No.182 of 2024 for the offences punishable under Section 452, 323, 392, 506 IPC read with Section 25 of Arms Act at P.S. Una Sadar (H.P.), therefore, at this juncture, he does not deserve for bail. With regard to the claim of parity of other co-accused he further submits that the other co-accused who have been enlarged on bail, there was no recovery from them and they have no criminal antecedents, therefore, the applicant cannot claim the benefit of parity of other co-accused, who have been enlarged on bail.
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			With regard to long incarceration, which the applicant has suffered, he submits that taking into consideration past history of the present applicant and the involvement in the present crime, which appears to be an organized crime and the recovery from the present applicant, he does not deserve for bail. 7. After hearing the arguments of learned counsel for the parties and taking into consideration that there is recovery from the present applicant and on his pointing out <i>looted</i> vehicles, from Punjab and used in the crime also recovered on his pointing out and furthermore the applicant have a criminal antecedents, therefore, merely on the ground of long incarceration the applicant does not deserve for bail. So far as the parity part is concerned, the applicant cannot claim parity merely on the ground that other co-accused have enlarged on bail particularly when there is no recovery from the other co-accused rather there is recovery of currency as well as two <i>looted</i> two wheelers from the applicant. 8. In such view of the matter, instant bail application lacks merit and is rejected. (Rakesh Thapliyal, J.) 03.07.2026 Arti
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