

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>Reserved on: 29.07.2026</u> <u>Delivered on: 03.08.2026</u> <u>BA1 No. 884 of 2026</u> Raman Singh Applicant Vs. State of Uttarakhand Respondent With BA1 No. 879 of 2026 Gurvinder Singh Applicant Vs. State of Uttarakhand Respondent With BA1 No. 940 of 2026 Rajender @ Raju Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Saurabh Kumar Pande, learned counsel with Ms. Sarita Bisht, Mr. Neeraj Singh Kaira, learned counsel for the applicants. 2. Mr. G.S. Sandhu, learned Addl. Advocate General with Mr. Deepak Chaudhary, learned Brief Holder for the State. 3. These three bail applications are moved by the applicants, namely, Raman Singh , S/o Late Satnam Singh, Gurvinder Singh, S/o Swarn Singh @ Sarvan Singh and Rajender @ Raju, S/o Mahender Singh for seeking bail in reference to FIR dated 14.03.2026, bearing FIR No. 0056 of 2026, P.S. Nanakmatta District Udham Singh Nagar for the offences punishable under Sections 111, 115(2), 127(2), 308(4), 310(2), 317(3), 351(2) and 3(5) of BNS 2023.

		4. The brief facts of the case are that the FIR was lodged by one Pawan Kumar on 14.03.2026 bearing FIR No. 0056 of 2026 at 21:02 hours with the allegation that on 13.03.2026 at about 21:45 hours the informant was allegedly restrained and forced into a compromise position to film nude video with one Seema Kaur @ Pinki and subsequently the video was used to extort and threaten the informant demanding a sum of Rs. 50 lakhs. It is further alleged that they also looted the vehicle, ATM card and driving license of the applicant. On the said FIR, the investigation was conducted and the police recovered Android Vivo smart phone, keypad mobile and a yellow metal ring from the co-accused Raman Singh and also they recovered Rs. 2950/- in cash and a car bearing registration no. UK06AE 5637 from another co-accused Gurvinder Singh @ Dimple and on culmination of investigation charge sheet was filed on 06.07.2026 and in total six persons including present applicant have been charge sheeted. As per the charge sheet accused no. 1 is Seema Kaur @ Pinki, accused no. 2 is Gurmit Kaur, S/o Tara Singh, accused no. 3 Tara Singh, S/o Late Gurdayal Singh, accused no. 4 Rajendra Singh @ Raju and accused no. 5 Raman Singh, S/o Late Satnam Singh and accused no. 6 Gurvinder Singh @ Dimple, S/o Late Swarn Singh. 5. It is argued by the learned counsel for the applicant that the incident was occurred on 13.03.2026 at about 21:45 hours and from the place of the incident the police station is merely 3 km away despite this FIR was lodged on 14.03.2026 at 20:02 hours with the delay of 23 hours but there is no explanation to this and the entire story ,as alleged in the FIR, is concocted. It is further submitted that the prosecution has shown ten witnesses in the charge sheet but all these are police personnel except the informant and there is no independent witness which itself casting serious doubt on the
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		authenticity of recovery memo. In reference to applicant of BA1 No. 884 of 2026, i.e. Raman Singh, who according to charge sheet is accused no. 5, it is argued that he is innocent and has been falsely implicated and there is no any public witness and the recovery with regard to the ring is completely doubtful and is planted one and he has no prior criminal antecedent and is languishing in jail since 16.03.2026. In reference to applicant of BA1 No. 879 of 2026, i.e. Gurvinder Singh who according to the charge sheet is accused no. 6 it is argued that the applicant is not named in the FIR and he was roped only on suspicion and on the disclosure of his name by the co-accused which is inadmissible. It is further submitted that this applicant has no criminal antecedent and is languishing in jail since 16.03.2026. In reference to BA1 No. 940 of 2026, i.e. Rajender @ Raju who according to the charge sheet is accused no. 4 it is argued that the applicant is not named in the FIR and he has criminal antecedent of six cases but all of them exclusively relates to Excise Act and NDPS Act and it has no bearing with the present case and his bail application has been rejected purely on the assumption of criminal antecedents and he is languishing in jail since 16.03.2026. 6. It is further argued by the learned counsel for the applicant that the charge sheet has already been filed and, as such, there is no need of further custodial interrogation and there is no possibility that the trial would be expedite as the charge sheet has been recently filed on 03.06.2026, therefore, they all be enlarged on bail. 7. Per contra, learned State Counsel vehemently opposed the bail application by submitting that all the accused persons operated an organized gang involved in honey trapping and extorting innocent citizens. Learned A.G.A. also highlighted the recovery of looted articles and cash from the applicants. He further emphasized that co-accused Rajender @ Raju is a
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		habitual offender with six criminal antecedents and release him on bail would pose direct threat to the society and there may be likelihood that he may repeat such offence. 8. After hearing the submissions of the learned counsel for the parties this Court has carefully evaluated the material on record and gravity of offence. As it appears from the charge sheet, which is placed on record by the prosecution by way of counter affidavit, the entire prosecution case is based on testimony of the police officials and the informant and there is no independent public witness and delay of 23 hours in lodging the FIR though incident occurred just at the distance of 3 km from the police station creates doubt on the testimony of the police officials though it is completely a subject matter of the trial. Admittedly, Gurvinder Singh (accused no. 6) and Raman Singh (accused no. 5) both have no criminal antecedent and are languishing in judicial custody since 16.03.2026 and charge sheet has already been filed meaning thereby investigation is completed and there is no risk of tempering with the evidence or influence the witnesses who are the police officials. Regarding co-accused Rajender @ Raju (accused no. 4) though this applicant have criminal antecedent of six cases but they all are relates to the Excise Act and the NDPS Act and the criminal antecedent alone cannot be presumed to be an absolute bar to bail and that depends on the facts of the particular case and bail cannot be denied only on the basis of the past history. 9. In the present case admittedly the charge sheet has been filed on 06.03.2026 and the trial would take considerable time to conclude and in such view of the matter prolonged pre-trial detention cannot be permitted to take form of punitive punishment, therefore, this Court is of the view that some stringent condition may be imposed upon the person having criminal
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			history of six cases. 10. In view of the observation and discussion as above, this Court is of the view that since the trial will take considerable time to conclude and in this particular case charge sheet has already been filed on 03.06.2026 and the prolonged pre-trial detention cannot be permitted, therefore, all the applicants deserve for bail. 11. Accordingly, without expressing any opinion on the merit of the case the bail application of all the applicants are allowed. 12 Let the applicants, namely, Raman Singh, Gurvinder Singh and Rajender @ Raju be released on bail on their executing a personal bond for an amount of Rs. 30,000/- each (Rupees thirty thousand) with two reliable sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions:- (i) Each of the applicants shall not temper with the evidence or contact any witness directly or indirectly. (ii) Each of the applicants shall appear before the trial court on each and every date without seeking unnecessary adjournment. (iii) Each of the applicants shall not commit or get involved in any offence of similar nature while on bail and shall also not indulge in any criminal activities. (iv) The applicant Rajender @ Raju who have a criminal antecedent of six cases shall report to the nearest police station in first week of every month at least for six months from the date of release and the concerned S.H.O. shall endorse his presence. It is clarified that in violation of the above mentioned conditions prosecution is at liberty to move an application for cancellation of bail. (Rakesh Thapliyal, J.) Parul
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