



2026:UHC:4492-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

5th June, 2026

Writ Petition (M/B) No.419 of 2026

Vipin Nayyar

-----Petitioner

Versus

High Court of Uttarakhand and others

----Respondents

Presence:-

Mr. Vipin Nayyar, petitioner-in-person.

Mr. Piyush Garg, learned counsel for the High Court of Uttarakhand/respondents.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present writ petition has been filed
praying for the following directions:

“1. To issue the Writ, Order or Direction in the nature of mandamus directing respondent no. 1 and respondent no. 2 to allow the petitioner/accused to prosecute his bail application in-person through video conferencing from prison.

2. To issue the Writ, Order or Direction in the nature of mandamus directing respondent no. 1 and respondent no. 2 to list the matters of the petitioner/accused confined in prison forthwith, preferably within five days of receipt of such petitions.

3. To issue the Writ, Order or Director in the nature of mandamus directing respondent no.3 to provide assistance to the petitioner/accused forthwith, in curing the defects if any, in the petitions filed by him and /or.

2. The case of the petitioner is that he had filed



Criminal Jail Revision No.1 of 2026 through District Jail, New Tehri, Tehri Garhwal and, in which, he wanted to appear-in-person through V.C. to press the bail application filed therein. However, the Registry of this Court has referred his request to the State Legal Service Authority for providing Legal Aid to him and has thereby prevented him from appearing in-person to pursue his bail application.

3. We have heard the petitioner-in-person through V.C., from District Jail, New Tehri Garhwal. He submits that he has wrongly been prevented to appear in-person through V.C. to pursue his bail application although the High Court of Uttarakhand, Party-in-Person Rules 2020 do not create any such embargo. He has referred to Rule 12, which, according to him, in fact, makes it clear that these rules would not apply to bail applications.

4. Mr. Piyush Garg, learned counsel appearing on behalf of the respondents submits that the party-in-person Rules is only a filtering mechanism and very fairly states that as provided under Rule 12, these rules are not applicable to bail applications. He further submits that the petitioner is misinterpreting the note



put by the Registry in referring his request to the State Legal Services Authority for providing legal aid. According to him, it was only with the object of providing legal aid to him as he is presently incarcerated but it does not mean that the Registry has prevented him from appearing in-person through V.C.

5. In view of the stand taken by the Registry, we are of the opinion that no further direction is required to be issued by this Court except for clarifying that it shall be open to the petitioner to appear in person through V.C. to pursue his bail application even from jail and, in case, any such request is made, the Registry will not raise any objection.

6. The writ petition stands disposed of accordingly.

7. Petitioner admits that he had withdrawn his revision and states that he will file a fresh revision along with the bail application and therein he would again request for appearing-in-person. In case, any fresh revision is filed by the petitioner-in-person, the Registry will ensure that it is listed before the appropriate court expeditiously without any delay.



2026:UHC:4492-DB

8. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 05.06.2026
Kaushal