

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010091102026  2026:UHC:5949
			<u>UKHC010091102026</u> <u>BA2/73/2026</u> Simrandeep Singh Virk --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Arvind Vashistha, learned senior counsel assisted by Ms. Devanshi Joshi, learned counsel for the applicant. 2. Mr. Vijay Khanduri, learned Brief Holder, for the State of Uttarakhand. 3. Mr. D.K. Sharma, learned senior counsel assisted by Mr. Lalit Sharma, Ms. Anmol Sandhu, Ms. Suraiya Naaz, learned counsel for the complainant. 4. The present applicant - Simrandeep Singh Virk S/o Late Shri Sukhwinder Singh, is praying for bail in reference to FIR dated 28.12.2025 bearing FIR No.0593 of 2025, Police Station Kotwali Rudrapur, District Udham Singh Nagar, lodged by one Sub-Inspector Kavinder Sharma, implicating the present applicant and 10 to 12 unknown persons for the offences punishable under Sections 109, 190, 191 (2), 191 (3), 3(5) of BNS, 2023. 5. It is argued by the learned senior counsel for the applicant that in reference to the incident regarding which the FIR has been lodged by Sub-Inspector Kavinder Sharma, i.e. FIR No.0593 of 2025, there was already another FIR lodged at earlier point of time i.e. FIR dated 28.12.2025 bearing FIR No.0592 of 2025, lodged by one Suraj Kumar Bishwas implicating one Jashandeep Singh Gill @ Jashan and Kulwinder Kaur, for the offences punishable under Sections 103 (1), 109, 3(5) of BNS, 2023. He submits that both the FIR relates to the same incident and the FIR No.0592 of 2025, was lodged earlier to the FIR No.0593 of 2025 and once already an FIR has been lodged i.e. FIR No.0592 of 2025, there was no any

		occasion to lodge another FIR in reference to the same incident. He further submits that though both the FIRs relates to the same incident but surprisingly on completion of the investigation in both the FIRs, the chargesheet has been filed. He submits that in this FIR No.0593 of 2025, as many as 11 persons have been chargesheeted, and so far as the FIR No.0592 of 2025 is concerned, lodged from the side of the applicant only one person, namely, Jashandeep Singh Gill, is chargesheeted, and one accused person is still absconding. He submits that firstly the FIR No.0593 of 2025 is nothing but is a successive FIR in respect to the same incident and even otherwise while submitting the chargesheet, the Investigating Officer, could not arrive at a conclusion that who is more aggressor and there is no evidence on this. He submits that the entire investigation is faulty and it cannot be ruled out that the police officials are also in connivance with the accused persons, who were implicated in FIR No.0592 of 2025. He submits that the applicant has no criminal antecedents and chargesheet has already been filed and there is no need of further custodial interrogation and he is languishing in jail since 29.12.2025. He further submits that the first bail application was rejected on 18.03.2026 and on fresh ground that the investigation has already been completed the instant second bail application has been moved. 6. On the other side, Mr. Vijay Khanduri, learned Brief Holder for the State, have not disputed that the chargesheet has already been filed and the present applicant has no criminal antecedents and with regard to the successive FIR, he submits that submission of Mr. Vashistha, in this regard are subject matter of the trial. 7. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the chargesheet has already been filed and the applicant has no criminal antecedents, and the subsequent FIR No.0593 of 2025 relates to the same incident and appears to be cross FIR, therefore, this Court is of the view that the applicant deserves for bail, particularly when, the investigation is already completed. 8. Accordingly without expressing any opinion on
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		the merits of the case, bail application is allowed. 9. Let the applicant – Simrandeep Singh Virk, be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned, subject to the following conditions:- “(a) After being released he shall cooperate with the trial without seeking any unnecessary adjournment. (b) The applicant shall surrender his passport, if any, to the Trial Court, and shall not leave the Country without leave of the Court.” (Rakesh Thapliyal, J.) 16.07.2026 Nitesh/
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