



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>ABA/714/2025</u> Desh Deepak and Another --Applicants Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Ms. Suraiya Naaz, learned counsel holding brief of Mr. Lalit Sharma, learned counsel for the applicants. Mr. Rakesh Kumar Joshi, learned A.G.A. for the State of Uttarakhand. 2. By means of the present application, the applicants seek grant of anticipatory bail in connection with F.I.R. No. 0045 of 2025, registered at Police Station Kotwali Bageshwar, District Bageshwar, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023. 3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is submitted that a Coordinate Bench of this Court, vide order dated 02.07.2025, granted interim anticipatory bail to the applicants and, in compliance with the conditions stipulated therein, they have duly cooperated with the investigation as and when required by the Investigating Officer. It is further submitted that the investigation has since been concluded and the charge-sheet has been filed only against petitioner no. 1, whereas no incriminating material has been found against petitioner no. 2, who has consequently been exonerated during the course of investigation. 4. Learned counsel for the applicants



		further submits that no material has been brought on record by the prosecution to demonstrate that the custodial interrogation of petitioner no. 1 is either necessary or warranted at this stage. It is, therefore, prayed that the interim anticipatory bail granted to petitioner no. 1 be confirmed and made absolute. 5. Learned State Counsel has no objection to the aforesaid prayer. 6. Having heard learned counsel for the parties, perused the material available on record, and considered the rival submissions, this Court finds that the applicants have remained protected by virtue of the interim order dated 02.07.2025 and have duly complied with the conditions incorporated therein by extending full cooperation during the course of the investigation. The investigation has culminated in the submission of the charge-sheet before the competent Court against petitioner no. 1, whereas petitioner no. 2 has been exonerated as no incriminating material has been found against him. No material has been placed before this Court to indicate that petitioner no. 1 has misused the liberty granted to him or has failed to cooperate with the investigating agency. It is also not the case of the prosecution that the custodial interrogation of petitioner no. 1 is required at this stage. Having regard to the nature of the allegations, the stage of the proceedings, the conduct of petitioner no. 1 during the period of interim protection, and the facts and circumstances of the case, and without expressing any opinion on the merits of the prosecution case, this Court is of the considered opinion that petitioner no. 1 has made out a fit case for confirmation of the interim anticipatory bail granted
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			earlier. 7. Consequently, the interim anticipatory bail granted to petitioner no. 1 vide order dated 02.07.2025 is hereby confirmed and made absolute. Petitioner no. 1 shall remain on anticipatory bail on the same terms and conditions as contained in the aforesaid order and shall continue to cooperate with the trial proceedings. It shall also be open to the learned trial Court to impose such further conditions, if considered necessary, in accordance with law. Insofar as petitioner no. 2 is concerned, in view of his exoneration during the course of investigation and no charge-sheet having been filed against him, no further orders are required to be passed in the present anticipatory bail application in respect of petitioner no. 2. 8. Accordingly, the Anticipatory Bail Application stands allowed. (Alok Mahra, J.) 27-07-2026 SE SHAH SILVA
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