

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010124962025  2026:UHC:7605
			<u>UKHC010124962025</u> <u>BA1/1460/2025</u> Nagendra --Applicant Versus State of Uttarakhand --Respondent With <u>UKHC010143142025</u> <u>BA1/1702/2025</u> Neeraj Shukla --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Ravindra S Rawat, Mr. Shivam Gulati, learned counsel, for the applicant. 2. Ms. Rangoli Purohit, learned AGA for the State of Uttarakhand. 3. These two bail applications are moved by the present applicants – Neeraj Shukla S/o Shri Tribhuvan Nath Shukla and Nagendra S/o Shri Singh Raj, who are praying for bail in reference to FIR dated 03.12.2024 bearing FIR No.131 of 2024, Police Station Shyampur, District Haridwar, lodged by one Veena Sharma, against unknown person for the offence punishable under Section 103 (1) of BNS, 2023. 4. As per the FIR, the deceased who was 37 years old was missing and pamphlet was also published by the Police by showing the photo of a “dead body” with “tattoo” in his hand which was found near Shyampur on 24.11.2024 and subsequently the body was identified by the mother of the deceased on 02.12.2024 and on the next date the FIR was lodged. 5. It is argued by learned counsel for the applicants that the applicants are innocent and has been falsely implicated and are languishing in jail since 06.12.2024 and 25.12.2024 respectively, and there is no any link evidence and even there is no evidence who actually was involved in killing the deceased and only on the basis of the circumstantial evidence, both the applicants

		has been chargesheeted. Apart from this, he further submits that both the applicants already suffered incarceration of more than 20 months and there is no substantial progress in the trial since out of 30 prosecution witnesses up till date only 4 prosecution witnesses has been examined. He submits that since both the applicants suffered long incarceration, they may be released on bail. 6. On the other side, learned AGA vehemently opposed the bail application by submitting that there is link evidence in order to establish their involvement in the commission of crime. She further submits that so far as Neeraj Shukla, is concerned, after the incident, there is a regular transaction from the account of the deceased in the account of his father, in support of which, the account statement of father of the applicant – Neeraj Shukla, is also placed on record, wherein, there is a frequent transaction from 28.11.2024 to 01.12.2024 for an amount of Rs.50,000/-, Rs.70,000/- Rs.30,000/-. She also submits that these regular transactions from the account of the deceased are very strong evidence against the present applicants and from his possessions ATM card of the deceased was also recovered. 7. So far as the co-accused Nagendra, is concerned, she submits that this applicant in association with the other co-accused Neeraj Shukla, also take active participation in the commission of the crime since from his possession the motorcycle of the deceased of Chasis No.ME1RG44B9K0058655 with Registration No.DL-9SBW4954, was also recovered and after thorough inquiry, it was found that this vehicle was registered in the name of the deceased with the Address -A-284, Block A, Sudarshan Park, West Delhi. She further argued that this accused in his confessional statement also admits that the deceased and the co-accused Neeraj Shukla, they all are friends, since one house was sold by the deceased to someone else on a sale consideration of Rs.30.00 Lacs and when this fact was came into their knowledge, they conspired to commit the offence. 8. In reference to the slow progress of the trial, she submits that since the offence is heinous and in a very well planned manner it was organized by both the accused persons, therefore, in such an eventuality only on the ground of delay in the trial, the applicants cannot be enlarged on bail, however, at this juncture this Court
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		can direct to the Trial Court to make all possible efforts to conclude the trial. 9. After hearing the submissions of the learned counsel for the parties, and taking into consideration that there is a frequent transaction from the account of the deceased by the accused Neeraj Shukla by using ATM Card of the deceased which was recovered from and the recovery of the ATM from his possession and the possession of applicant Nagendra and from the other accused there is recovery of motorcycle of the deceased, clearly establishes that they were involved in commission of the crime. In such view of the matter, when the offence is heinous and was committed in an organized manner, this Court is of the view that both the applicants does not deserve for bail. Consequently, both the bail applications are hereby rejected. 10. However, it is made clear that the Trial Court may proceed with the trial without being influenced with the observations as above and make all possible efforts to conclude the same. (Rakesh Thapliyal, J.) 21.08.2026 Nitesh/
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