



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/1959/2025</u> Guljeb --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. S. R. S. Gill, learned counsel for the applicant. 2. Mr. Vijay Khanduri, learned Brief Holder for the State. 3. Mr. Surendra Kumar Bahl, learned counsel for the complainant. 4. Present applicant Guljeb, S/o Sanabbar is praying for bail in reference to case crime no. 169 of 2022, arising out of FIR dated 25.03.2022, P.S. Kaliyar Sharif District Haridwar wherein he is facing the trial for the offences punishable under Section 302 read with Section 201 IPC in Session Trial No. 227 of 2022 pending in the Court of 1st Addl. District Judge, Roorkee, District Haridwar. 5. It is argued by the learned counsel for the applicant that the applicant is in judicial custody since 25.03.2022 and there are in total 21 prosecution witnesses out of which up till date only 10 prosecution witnesses have been examined. He further submits that post mortem report reveals that cause of death is due to ante mortem smothering but to exclude other possibilities of death the viscera was preserved for chemical analysis and as per the viscera report no poison has been detected in Ex. 1 to Ex. 4. 7. Learned counsel for the applicant also submits that the applicant has no criminal



			antecedent and since he has already suffered prolonged incarceration of more than four years, therefore, he be released on bail. 8. On the other side, Mr. Vijay Khanduri, learned Brief Holder for the State submits that the offence is heinous one and there are sufficient material, however, he has not disputed about the prolonged incarceration of the present applicant. 9. Mr. S.K. Bahl, learned counsel for the complainant also adopted the arguments of the learned counsel for the State by submitting that there are sufficient materials and the present applicant was seen in the CCTV footages carrying suitcase in which the dead body was recovered. 10. After hearing the rival submissions of learned counsel for the parties and taking into consideration that the applicant is languishing in jail since 25.03.2022 and up till date out of 21 prosecution witnesses only 10 prosecution witnesses have been examined and furthermore applicant have no criminal antecedent, this Court is of the view that the applicant deserves for bail. 11. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 12. Let the applicant Guljeb be released on bail on executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned subject to the following conditions: (i) The applicant after being released on bail shall join the trial court proceeding on each and every date without seeking unnecessary adjournment. (ii) The applicant shall not leave the territorial jurisdiction of the Trial Court as well as leave the country without leave of the Trial Court.
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			(iii) The applicant after being released on bail shall surrender his passport, if any, within three days before the Trial Court. (iv) Applicant shall not leave the country without leave of the Court. (v) The applicant shall not make any attempt to give any threat to the family members of the deceased and will not make an attempt to temper the evidence. (vi) The Trial Court is also directed to expedite the trial as early as possible preferably within six months. (Rakesh Thapliyal, J.) 14-07-2026 Parul
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