

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/1114/2023</u> Gurjeet Singh --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Rajat Mittal, learned counsel for the applicant. 2. Mr. Akshay Latwal, learned A.G.A. for the State. 3. By means of the present application, the applicant seeks anticipatory bail in connection with Case Crime/F.I.R. No. No.467 of 2023 dated 02.12.2023, under Section 420 IPC, Police Station Vikasnagar, District Dehradun. 4. Learned counsel for the applicant would submit that according to the FIR, the informant had a share in her ancestral property along with four other siblings, but the applicants, who are the siblings of the informant, had transferred the property beyond their shares; that, it is the case of the applicants that at the most, it is a civil dispute; the applicants did not transfer the property beyond their shares; no offence prima facie is made out. 5. Learned State Counsel would submit that the investigation has been completed and the charge-sheet has already been submitted before the competent court and the matter is fixed for 18.08.2026 before the court below. 6. Learned counsel for the applicant

			would further submit that the Coordinate Bench of this Court, vide order dated 13.12.2023, had granted interim protection from arrest to the applicant; that, pursuant thereto, the applicant has remained available to the Investigating Officer and has extended full cooperation during the course of investigation. It is further submitted that the investigation having culminated in filing of the charge-sheet, no further custodial interrogation of the applicant is warranted. Learned counsel, therefore, prays that the interim anticipatory bail granted to the applicant on 13.12.2023 be made absolute. 7. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the applicant has remained protected from arrest pursuant to the interim order dated 13.12.2023 and there is nothing on record to indicate that the applicant has misused the liberty so granted or has failed to cooperate with the investigation. The investigation has already been concluded and the charge-sheet has been submitted before the competent court. The matter has, therefore, progressed beyond the stage of investigation, and no material has been brought on record to demonstrate that the custodial interrogation of the applicant is presently necessary. 8. It is also a relevant consideration that the applicant has remained under the protection of this Court for a considerable period and has, pursuant to the interim order, subjected herself to the process of investigation. In the absence of any material indicating misuse of the interim protection, interference with the liberty already extended to the applicant at this stage would not be warranted. Needless to observe, the observations made herein are confined to the consideration of the
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		present anticipatory bail application and shall not be construed as an expression of opinion on the merits of the prosecution case. 9. In view of the foregoing discussion and having regard to the overall facts and circumstances of the case, this Court is of the considered opinion that the interim protection granted to the applicant vide order dated 13.12.2023 deserves to be confirmed. 10. Accordingly, the interim anticipatory bail granted to the applicant vide order dated 13.12.2023 is hereby made absolute. In the event of arrest, the applicant shall be released on anticipatory bail on the same terms and conditions as contained in the order dated 13.12.2023. The applicant shall continue to abide by all such terms and conditions and shall also remain subject to any further condition that may be imposed by the trial court in accordance with law. 11. Accordingly, the anticipatory bail application is allowed. 12. It is clarified that none of the observations made in this order shall prejudice the case of either party before the trial court, which shall decide the case strictly on the basis of the evidence brought on record and in accordance with law. 13. Pending application(s), if any, also stand disposed of. MAMTA A RANI (Alok Mahra, J.) 12-08-2026 mamta
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