HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No.16 of 2026

16 January, 2026

Ravtaj Aulakh @ Ravtaj Singh & Anr. --Applicants

Versus

State Of Uttarakhand and Ors. --Respondents

Presence:-

Mr. Vikas Kumar Guglani, learned counsel (through V.C.) and Mr. B.S. Koranga, learned counsel for applicants.

Mr. J.S. Virk, learned D.A.G. with Mr. R.K. Joshi, learned Brief Holder for the State of Uttarakhand.

Mr. Vipul Sharma, learned counsel for complainant.

Hon'ble Ashish Naithani, J.

The present application has been moved under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in connection with FIR/Case Crime No.0010 of 2026 dated 11.01.2026, registered under Sections 115(2), 190, 191(2), 191(3) and 324(2) of the Bharatiya Nyaya Sanhita, 2023, registered with Police Station Dineshpur, District Udham Singh Nagar.

2. Heard learned counsel for the applicants and learned D.A.G. for the State and perused the record.

3. Learned counsel for applicants submits that the applicants are students of class 12th and the allegations leveled against them are frivolous, fictitious and false. He further submits that without investigating the matter, Investigating Officer is threatening the applicants to arrest which is against the principle of natural justice. He also submits that the applicants have falsely been implicated in the present matter and no offence is made out against the applicants.

4. It is contended by learned counsel for applicants that it is well settled principle laid down by the Hon'ble Apex Court in various judgments that the arrest of persons should be made only in heinous crimes and otherwise should be avoided by Investigation Officer. It is further contended by him that nothing has recovered from the possession of applicants and there is no chance of absconding of the applicants. It is also contended that the applicants are ready to cooperate with the investigation.

5. On the other hand, learned D.A.G. for the State and learned counsel for complainant have seriously opposed the anticipatory bail application and submits that *prima-facie* case is made out against the applicants.

6. The allegations against the applicants disclose commission of offences of a serious nature, including causing injury by dangerous means. The medical material *prima facie* indicates that the victim sustained serious injuries. This Court is conscious that the power under Section 482 of B.N.S.S. is an extraordinary one and is to be exercised sparingly, particularly where the accusations reflect violence and potential threat to societal order. Ordinarily, in such cases, custodial interrogation may assume relevance and anticipatory bail is not to be granted as a matter of course.

7. However, the Court is equally required to ensure that the discretionary power is exercised in a manner which is fair, just and consistent with the constitutional mandate of protection of personal liberty. It has been specifically urged, and not disputed, that the applicant is a student and that his Class XII Board Examinations are imminent. The

material placed before the Court does not indicate that the applicants have any criminal antecedents. It has further been submitted that the applicants undertake to cooperate with the investigation and to abide by any condition imposed by this Court.

8. Without expressing any opinion on the merits of the prosecution case and having regard to the totality of circumstances, including the age and academic status of the applicants, this Court is of the considered view that the ends of justice would be met by extending limited pre-arrest protection coupled with strict conditions, so as to balance the interests of a fair investigation with the applicants' right to liberty.

9. Accordingly, it is directed that in the event of arrest, the applicants shall be released on anticipatory bail in the aforesaid case crime, on their furnishing personal bond and two sureties, each in the like amount, by each of them, to the satisfaction of the Arresting Officer/Court concerned, subject to the following conditions:

i) The applicants shall make themself available for interrogation by the Investigating Officer as and when required and shall fully cooperate with the investigation.

ii) The applicants shall not directly or indirectly induce, threaten or promise any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the police.

iii) The applicants shall not tamper with the evidence and shall not attempt to influence the informant, victim or any prosecution witness.

iv) The applicants shall not leave the country without prior permission of the Court concerned.

v) The applicants shall mark their presence before the Investigating Officer as and when directed and shall ensure due compliance with all lawful requirements of investigation.

10. It is clarified that if the Applicants misuse the liberty or violates any of the conditions imposed, the prosecution shall be at liberty to move an application for cancellation of anticipatory bail.

11. Accordingly, Anticipatory Bail Application No.16 of 2026 stands disposed of.

(Ashish Naithani, J.)
Vacation Judge
16.01.2026

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