

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Original Jurisdiction
1st Bail Application No. 36 of 2015
Order on bail application of the accused

Deepak	Vs	... Applicant _(in jail)
State of Uttarakhand		... Opp. Party

Mr. Shashi Kant Shandilya, Advocate, present for the applicant
Mr. M.A. Khan, Deputy Advocate General, present for the State.

Hon'ble Sudhanshu Dhulia, J.

The applicant is in jail being implicated in Case Crime No. 311 of 2014, which has been registered under Sections 304/323/325/504/506/34 of I.P.C., Police Station Kotwali Manglore, District Haridwar.

The allegation against the present applicant is that he called the deceased – Ajay from his house and thereafter he along with other co-accused had beaten the deceased on 27.09.2014. Although the main role of causing injuries has been assigned to another co-accused, namely, Lalit, who inflicted blow by rod (*'Saria'*) on the head of the deceased, a fact which is corroborated with the injuries of the postmortem report. The role assigned to the present applicant is that he participated in the *'Marpeet'* in the alleged incident.

Considering the First Information Report, postmortem report and other documents available on record this Court is not inclined to enlarge the applicant on bail. Accordingly, the bail application is rejected.

However, made clear that the trial court shall expedite the matter, as expeditiously as possible, without granting any undue adjournment to any of the parties.

It is also made clear that any observation made by this Court shall not prejudice the case of the applicant either before the trial court or for any other remedy available under the law.

(Sudhanshu Dhulia, J.)

29.05.2015

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