



2025:UHC:5528

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>BA1 No. 1099 of 2025</u></p> <p><b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <p>1. Mr. Lalit Sharma, learned counsel for the applicant.</p> <p>2. Mr. G.S. Sandhu, learned Additional Advocate General for the State.</p> <p>3. The present applicant 'Aayush Tyagi' S/o Manoj Tyagi is praying for regular bail in relation to First Information Report dated 29.03.2025 bearing FIR No. 135 of 2025 P.S. Kotwali Jwalapur, District Haridwar, wherein, 6 to 7 unknown persons were implicated for the offences punishable under Sections 109, 115(2), 118(1), 190, 191(2) and 191(3) of BNS, 2023.</p> <p>4. Learned counsel for the applicant argued that the applicant is innocent and has been falsely implicated, which is evident from the fact that the applicant is not named in the FIR since the FIR has been lodged against unknown persons and there is a delay in lodging the FIR and he has been implicated on the basis of suspicion and there is no direct evidence and the place where the incident took place was highly crowded area, but no one has seen the alleged incident and merely on the basis of the video footages the applicant has been implicated.</p> <p>5. He further submits that the applicant is a student and recently completed D.Pharma course. He further submits that the applicant have no previous criminal history and as such be enlarged on bail. He further submits that the three other co-accused have already been enlarged on bail and as such the applicant seeks parity of the other co-accused who have been enlarged on bail.</p> <p>6. On the other side, State counsel submits that on the basis of video footages the applicant was seen with the main assailant and they ran away after committing the offence in the car in which the main assailant also came. He further submits that the investigation is still going on and if the applicant is enlarged on bail there may be</p>



		<p>possibility that he may influence the investigation and furthermore he submits that the applicant is the resident of Meerut, however, he has not disputed that the applicant has no previous criminal history. Learned State counsel further suggest that if the applicant is enlarged on bail then some stringent conditions be imposed.</p> <p>7. After hearing the arguments of learned counsel for the parties and further taking into consideration that the main assailant as per the prosecution is Nishkarsh, this court is of the view that by imposing some stringent conditions the applicant may be enlarged on bail.</p> <p>8. Accordingly, without expressing any opinion on the merit of the case the bail application is allowed.</p> <p>9. Let the applicant 'Aayush Tyagi' be enlarged on bail on furnishing his personal bond and two sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions:</p> <ul style="list-style-type: none"><li>(i) The applicant shall cooperate with the pending investigation and will not make any attempt to tamper any evidence and threaten the witnesses.</li><li>(ii) The applicant shall surrender his passport, if any, with the concerned court.</li><li>(iii) If the applicant is found to be involved in any criminal activity in future the prosecution is directed to immediately move an application for cancellation of bail.</li></ul> <p style="text-align: right;"><b>(Rakesh Thapliyal, J.)</b> 30.06.2025</p> <p>PR</p>
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