



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/1396/2026</u> Harvind Alias Harvinder Kumar --Applicant Versus State Of Uttarakhand --Respondent with <u>BA1 No.1546 of 2026</u> <u>Hon'ble Alok Mahra, J.</u> Mr. Raj Kumar Singh, Advocate for the applicant in BA1 No.1396 of 2026. Mr. Birendra Singh Adhikari, Advocate for the applicant in BA1 No.1546 of 2026. Mr. Prabhat Kandpal, A.G.A. for the State of Uttarakhand. Mr. Tushar Chauhan, Advocate, holding brief of Mr. Aditya Singh, Advocate for the complainant. 2. These first bail applications have been moved by the applicants seeking regular bail in F.I.R./Case Crime No.684 of 2026, under Section 109(1), 190, 191(2), 191(3), 115(2), 324(4), 351(3) & 352 of B.N.S., 2023, registered at Police Station Kotwali Laksar, District Haridwar. 3. The F.I.R. has been lodged by an employee of the company, namely, K.R.B.M.L.L.P. As per the prosecution case, while the company's flying squad was checking illegal mining activities, it intercepted two tractors allegedly carrying illegally mined R.B.M. The said tractors were seized and parked at the S.D.M. office. It is further alleged that thereafter, the applicants approached the complainant and other company officials and threatened them with dire consequences, if they continued to seize their tractors. Subsequently, when the company personnel intercepted another tractor and took it to a weighing scale for weighing the R.B.M., the driver allegedly fled from the spot. Upon being chased, the applicants, along with other co-accused persons, allegedly arrived in two cars armed with lathis, sticks and iron rods, intercepted



		the complainant and other company personnel, and assaulted them with bricks, stones, lathis and sticks. It is further alleged that the incident resulted in damage to the complainant's car and injuries to the complainant and other personnel. 4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case and that they have no role in the alleged incident. It is further submitted that the applicants have been in judicial custody since 22.07.2026. Learned counsel also contends that no independent witness has been cited to support the allegations levelled against the applicants. It is argued that the applicants' continued incarceration is not warranted and that they are willing to abide by any condition imposed by this Court. On these grounds, learned counsel prays that the applicants be enlarged on bail. 5. Per contra, learned State Counsel as well as learned counsel for the complainant vehemently opposes the bail applications contending that the allegations against the applicants are serious in nature and that the incident involved an alleged assault upon the complainant and other company personnel, resulting in injuries and damage to a vehicle. It is further submitted that the presence of the applicants at the place of occurrence is supported by the footage recorded by the dashcam installed in the vehicle. 6. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the applicants have been in judicial custody since 22.07.2026. The allegations levelled against the applicants are undoubtedly serious and have been duly taken into consideration. However, at this stage, the question of grant of bail is required to be considered on the basis of the overall facts and circumstances of the case, without undertaking a detailed examination of the evidence or expressing any opinion on the merits of the allegations. The contention regarding the absence of independent witnesses, as well as the prosecution's reliance upon the dashcam footage, are matters to be considered in accordance with law during the course of the proceedings. 7. Having regard to the period of incarceration already undergone by the applicants, the nature of the allegations, and the overall facts and circumstances of the case, this Court is of the view that the applicants' further detention is not
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warranted at this stage.

8. Accordingly, without expressing any opinion on the ultimate merits of the matter, this Court is of the considered view that the applicants have made out a case for grant of bail at this stage. The bail applications are allowed.

9. Let the applicants, namely, Harvind @ Harvinder Kumar and Deepak Kumar be released on bail, on executing personal bond by each one of them and furnishing two reliable sureties by each one of them, each of like amount, to the satisfaction of Court concerned.

(Alok Mahra, J.)

16.10.2026

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Digitally signed by ARPAN JAISWAL
DN: cn=ARPAN JAISWAL, ou=HIGH COURT OF UTTAR PRADESH
c=IN, email=arpajaiswal@judges.hc.utprajudges.org
1.2.840.113548.5.4.1.1=ARPAN JAISWAL, postalCode=226001, st=UTTAR PRADESH
serialNumber=100001, title=JUDGE, o=HIGH COURT OF UTTAR PRADESH
c=IN, email=arpajaiswal@judges.hc.utprajudges.org
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