

(2023) 02 UK CK 0003
In the Uttarakhand High Court
Case No : Criminal Appeal No. 53 Of 2023

Mohd. Altmash

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 03-02-2023

Acts Referred:

Indian Penal Code, 1860 — Section 363

Citation : (2023) 02 UK CK 0003

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Raj Kumar Singh, Lalit Miglani, Shivangi Gangwar

Judgement

Alok Kumar Verma, J

1. The present Criminal Appeal has been filed by the appellant against the judgment and order dated 07.01.2023, passed by the learned F.T.S.C./Additional Sessions Judge, Roorkee, District Haridwar in Special Sessions Trial No.8 of 2021, "State of Uttarakhand vs. Altmash", by which, the appellant has been convicted for the offence under Section 363 IPC and sentenced to undergo rigorous imprisonment for a period of three years along with a fine of Rs.10,000/-, and, in default of payment of fine, the appellant has been further directed to undergo additional imprisonment for a period of three months.

2. Heard Mr. Raj Kumar Singh, learned counsel for the appellant and Mr. Lalit Miglani, learned A.G.A with Mrs. Shivangi Gangwar, learned Brief Holder for the State.

3. Appeal is admitted.

4. Heard learned counsel for the parties on the Bail Application (I.A. No.2 of 2023).

5. Learned counsel for the appellant submitted that there are substantial doubts about the conviction. The appellant was on bail during trial and the conditions of

bail were neither misused nor violated by him. He is on interim bail.

6. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the appellant, namely, Mohd. Altmash, provided he submits his personal bond and two reliable sureties, each in the like amount to the satisfaction of the court concerned.

7. List this case on 05.06.2023.