
(2023) 01 UK CK 0123

In the Uttarakhand High Court

Case No : Anticipatory Bail Application No. 45 Of 2023

Mukhtayar Singh And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 20-01-2023

Acts Referred:

Indian Penal Code, 1860 — Section 307, 323, 376, 498A, 504, 506
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2023) 01 UK CK 0123

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Harshpal Sekhon, Lalit Miglani, Sonika Khulbe

Judgement

Ravindra Maithani, J

1. Applicants Mukhtayar Singh, Vikramjeet Singh Dhariwal, Balwant Singh Dhariwal, Jasveer Singh, Jasvinder Singh, Amritpal and Manjeet Singh have sought anticipatory bail in FIR No.207 of 2022, under Sections 307, 323, 376, 498-A, 504, 506 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961, Police Station Dineshpur, District Udham Singh Nagar. They have sought their release on anticipatory bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, the informant and the applicant Vikramjeet Singh Dhariwal was married on 17.10.2019, but after marriage, the informant was harassed and tortured in connection with demand of dowry, she was sexually exploited by in-laws, her husband would force her to have carnal intercourse against the order of nature. The FIR is quite in details.

4. Learned counsel appearing for the applicant would submit the whole case is false; last year also the informant had made a complaint against her husband and others, but the allegations are distinct. Reference has been made to a report of Mahila Ayog and Bal Helpline Rudrapur, District Udham Singh Nagar, which is

Annexure No.2 to the anticipatory bail application.

5. State to file objections.

6. List this case on 27.04.2023.

7. Having considered, as an interim measure, till the next date of listing, in the eventuality of arrest, the applicants shall be released on bail subject to their furnishing personal bond, by each one of them, to the satisfaction of the arresting officer, subject to the following conditions:-

(i) The applicants shall co-operate with the investigation.

(ii) The applicants shall not approach any witness/victim in any manner, whatsoever.

(iii) The applicants shall not leave the country without prior permission of the concerned court.

(iv) The applicants shall deposit their passports with the IO. The passports may only be returned by the order of the court concerned. In case, if any of the applicant, does not have passport, he shall give an undertaking to that effect to the IO.

(v) The applicants shall also give an undertaking on (i), (ii) & (iii) above.