

(2025) 10 UK CK 0044

In the Uttarakhand High Court

Case No : First Bail Application No. 1934 Of 2025

Ritik Alias Rishabh Kumar

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 29-10-2025

Acts Referred:

Arms Act, 1959 — Section 3, 25Constitution Of India, 1950
— Article 21>

Citation : (2025) 10 UK CK 0044

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Sukhwani Singh, Tumul Nainwal, Chitrarth Kandpal

Final Decision : Allowed

Judgement

Alok Kumar Verma, J

1. The applicant - Ritik alias Rishabh Kumar is in judicial custody for the offence punishable under Section 3 read with Section 25 of the Arms Act, 1959 in Case Crime No.898 of 2025, registered at Police Station Laksar, District Haridwar.
2. According to the First Information Report, one country made pistol and two live cartridges were recovered from the possession of the applicant on 15.09.2025. The applicant was arrested.
3. Heard Ms. Sukhwani Singh, learned counsel for applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.
4. Ms. Sukhwani Singh, Advocate, contended that the applicant has been falsely implicated by the police. The said country made pistol and cartridges were not recovered from his possession. The said recovery was planted. There was no independent witness at the time of the alleged recovery. This fact also makes the story of the police doubtful. Applicant is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, he is in

custody since 15.09.2025.

5. Mr. Tumul Nainwal, Assistant Government Advocate, has opposed the bail application orally. However, he submitted on instruction that the recovered country made pistol is not the case property of any criminal case.

6. Bail is the rule and the committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused persons in detention during the investigation is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.

9. Let the applicant – Ritik alias Rishabh Kumar be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.