

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43956 of 2023

Applicant :- Puneet Tuli

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Aishwarya Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Supplementary affidavit filed on behalf of the applicant is taken on record.
2. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
3. By means of the present bail application, the applicant seeks bail in Case Crime No.295 of 2023, under Section 2/3 of U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Sector-63, District Madhya Commissionerate Gautam Buddha Nagar, during the pendency of trial.
4. It is argued by the learned counsel for the applicant that the prosecution under the Gangsters Act has been launched against the applicant on the basis of one case shown in the gang chart. It is also contended that by means of an application i.e. Application U/S 482 No.28279 of 2023 the veracity of the criminal case registered against the applicant and the charge-sheet filed after investigation has been challenged which is pending. There is no other criminal history against the applicant. He has been falsely implicated in the present case due to police rivalry. He is not the member of any gang. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 04.10.2023. In case, the applicant is released on bail, he will not misuse the said liberty.
5. Learned AGA opposed the prayer for bail but has not disputed the aforesaid submissions of learned counsel for the applicant.
6. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.

7. Let the applicant - **Puneet Tuli**, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 16.11.2023

Shahroz