

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 1715 of 2023

Applicant :- Dharmendra Singh

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko. And 2 Others

Counsel for Applicant :- Anita Singh, Devansh Vikram Singh, Dr. V.K. Singh, Durgesh Kumar Shukla, Manish Pandey, Pravin Singh, Vishwa Mohan Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur), J.

Heard learned Counsel for the applicant, learned A.G.A. and perused the record.

The accused- applicant is involved in Case Crime No. 250 of 2021, under Sections 419, 420, 467, 468, 471 and 120-B I.P.C., Police Station Hussainganj, District- Lucknow.

It is argued by the learned counsel for the applicant that the applicant is not involved in the present case. As per the FIR, no role is assigned to the applicant. The applicant is not named in the FIR. Later on in the statement of Ravi Kumar the name of the applicant came into light. It is alleged that in the name of one Ravi Kumar a forged appointment letter was issued. As per the statement of Ravi Kumar it was the present applicant who introduced Ravi Kumar with one Ombir Singh and two other persons. About the transaction of Rs. 49,000/- shown in the account of the applicant it is submitted that Ravi Kumar had taken Rs. 2 lakh from the applicant as loan and out of those Rs. 2 lakh, this amount of Rs. 49,000/- was paid back in his account. The applicant had not issued any forged document. The applicant is languishing in jail since 5.1.2023.

Learned A.G.A. opposed the prayer for bail and submitted that applicant Dharmendra, Ravi Kumar and Ashish were continuously in touch with each other through their mobiles. A forged appointment letter was issued in the name of Ravi Kumar. Ravi Kumar had also attended a forged training programme arranged by the applicant and other co - accused persons. The amount paid by Ravi Kumar was received in the account of the applicant. The applicant was in active participation of the crime.

As per record the complaints were being received regarding issuance of forged appointment letters regarding vacancies in the irrigation department. In this regard a forged appointment letter was found to be issued in favour of Ravi Kumar also. This letter was shown to be issued on 13.1.2022 by one Umesh Chandra, the Deputy Secretary while Umesh Chandra was working on the post of Joint Secretary there. Prima facie, the appointment letter was found to be forged, hence, the case was registered by one Ram Narayan Tripathi, the Joint Secretary, Government of U.P. against Umesh Chandra, the alleged Deputy Secretary. During investigation, in the statement of Ravi Kumar, in whose favour the forged appointment letter was issued, this fact came into light that he was well known to the present applicant Dharmendra Singh. Dharmendra Singh lured Ravi Kumar that some vacancies have been published in the irrigation department and he could manage a job for Ravi Kumar there. Then Ravi Kumar and his friend Monu met the present applicant and in 34 bank accounts, they transferred Rs. 7 lacks and Rs. 2,50,000/- were paid in cash. They were introduced with one Ashish and then their interview was arranged. They got appointment letters also but when they approached the aforesaid department, the Secretary concerned disclosed that the appointment letters were forged. When they inquired the matter, applicant Dharmendra Singh and Ashish assured them that the appointment letters were not forged. They had also to undergo training in the office situated in the complex near Subharti University from January to March but no salary was paid to them.

As per record, Rs. 49,000/- are found to be transferred in the account of the present applicant by Ravi Kumar. There is also the allegation that Ravi Kumar also paid Rs. 2.5 laks to the applicant in cash. It is submitted by the learned counsel for the applicant that Rs. 49,000/- was the amount that was returned in the account of the applicant as a part payment of the loan taken by Ravi Kumar from the applicant. But no transaction of paying Rs. 2 lakhs as loan to Ravi Kumar is placed before the court. The allegation against the applicant is of issuing a forged appointment letter, imparting forged training and receiving amount in his bank account in exchange which can be said to be a serious matter.

The bail application of the applicant has no merit and is liable to be rejected.

It is hereby rejected.

Order Date :- 7.12.2023

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