

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14906 of 2022

Applicant :- Sanjay Singh Singla

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Rajendra Singh, Krishna Kumar Tiwari, Vivek Chandra

Counsel for Opposite Party :- G.A., Anil Kumar Tiwari, Ujjawal Tewari

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Vivek Chandra, the learned counsel for the applicant, Smt. Parul Kant the learned A.G.A. for the State as well as Sri Anil Kumar Tiwari, learned counsel for the informant and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 536 of 2022, under Section 406, 420, 467, 468, 471, 504, 506 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 04.06.2022 against the applicant, one Antim Shukla, describing him to be a manager of Sanjay Singh Singla and 2-3 unnamed persons, stating that the informant had purchased a plot of land in the year 2013 from the applicant in Singla Residency but he was not handed over possession of the plot.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant's involvement in 17 other cases has been disclosed in para 16 of the affidavit, in 10 of which the applicant has been granted bail.

5. The learned counsel for the applicant has submitted that co-accused Sabha Patee Mishra, Antim Shukla, Siddhartha Garg and Rajwant Yadav @ Rajwant Rawat, has already been granted bail by means of orders dated 25.05.2023, 20.09.2023, 25.07.2023 and 28.02.2023 passed by this Court in Criminal Misc. Bail Applications No.5138 of 2023, 5514 of 2023, 1762 of 2023 and 3109 of 2023, respectively.

6. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the sale deed in question was executed way back in the year 2013; that although the informant alleges that possession of the property sold was not delivered, he has not taken recourse to remedies available under civil law ; that the applicant has already filed a suit no. 209 of 2022 in the court of Civil Judge, Junior Division, Court no. 20, Barabanki for a declaration that a sale deed is void for want of payment of consideration and that four co-accused persons have already been granted bail in the present case, coupled with the fact

that the applicant is languishing in jail since 03.06.2022 and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

8. Accordingly, this bail application stands **allowed.**

9. Let the applicant- **Sanjay Singh Singla** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions: -

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi,J.)

Order Date :- 28.11.2023

Preeti.