

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14858 of 2023

Applicant :- Gunjan Verma

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

Counsel for Applicant :- Vivek Chandra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Vivek Chandra, learned counsel for the applicant, Sri Jayant Singh Tomar, the learned AGA-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 841 of 2022, under Sections 409 and 420 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 19.08.2022 against six persons, not including the applicant stating that the applicant had paid Rs.3,90,000/- to SNS Infra Build Company for taking a plot of land but neither the property was transferred to the informant nor was the invested amount refunded to him.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and she has been falsely implicated in the present case. The applicant's criminal history of 33 cases has been disclosed in para 19 of the affidavit filed in support of bail application, all of which relate to the similar disputes regarding investments made in the aforesaid company.
5. A copy of the relevant extract of the case diary has been annexed with the affidavit, wherein the Investigating Officer has recorded that a sale deed has already been executed in favour of the informant on 16.10.2021. The Co-accused persons Naved Ahmad, Yashwant Rawat, Amit Kumar Verma, Sangam Verma and Om Prakash Verma have already been enlarged on bail by this court by means of orders dated 14.07.2023, 05.04.2023, 19.12.2022, 26.07.2023 & 30.10.2023 passed in Criminal Misc. Bail Application Nos.7639 of 2023, 4596 of 2023, 2108 of 2022, 3391 of 2023 & 2659 of 2023 respectively. Amit Kumar Verma is also a director of the Company.

6. The learned A.G.A. has opposed the prayer for 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 Investigating Officer has found that the sale deed in respect of the property of land has already been executed in favour of the informant; that the five other accused persons including the Director of the company have already been granted bail coupled with the fact that the applicant is languishing in jail since 21.11.2022 along with her three year old son and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

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

9. Let the applicant-***Gunjan Verma*** be released on bail in Case Crime No. 841 of 2022, under Sections 409 and 420 I.P.C., registered at Police Station Kotwali Nagar, District Barabanki on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to 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.

10. 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 :- 16.12.2023

Pradeep/-