

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13940 of 2023

Applicant :- Vishal Rao Chandel

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home Lko.

Counsel for Applicant :- Brij Mohan Sahai

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Brij Mohan Sahai and Indrajeet Pratap Singh, the learned counsel for the applicant as well as Sri Amitabh Chaturvedi, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 12 of 2023, under Section 406, 420, 409, 506, 467, 468, 471,120-B I.P.C., registered at Police Station Satrikh, District Barabanki.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 11.01.2023 stating that the informant had entered into three agreements dated 10.07.2018 with Stallion Infra Developers Pvt. Ltd. of which the accused persons are directors, for purchasing plots of land.
4. The agreements inter alia state that the informant would pay the balance sale considerations within a period of three years and will get sale deeds executed in his favour. The F.I.R has been lodged alleging that sale deeds were not executed in furtherance of three agreements.
5. The applicant's involvement in five other cases has been disclosed in para 26 of the affidavit filed in support of the bail application.
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 even as per the F.I.R allegations, it has been filed after the accused persons did not execute the sale deeds in furtherance of

registered agreements to sell the property; copies of the agreements annexed with the affidavit indicates that the sale deed was required to be executed after the informant made payment of balance amount of sale consideration within a period of three years; that there is no narration regarding the purchaser's readiness and willingness to pay the balance sale consideration and no suit for specified performance of the agreements to sale has been filed by the informant, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail.

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

9. Let the **applicant- Vishal Rao Chandel** 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 :- 24.11.2023

Preeti.