

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2875 of 2023

Applicant :- Devi Singh Rajpurohit

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

Counsel for Applicant :- Pranjal Jain, Purnendu
Chakravarty, Shivanshu Goswami

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Purnendu Chakravarty, the learned counsel for the applicant as well as Sri Gyanendra Singh, learned A.G.A. appearing on behalf of the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.10 of 2023, under Sections 201, 409, 420, 467, 468, 471, 120-B I.P.C. and section 7, 13(1)(a), 13(2) of Prevention of Corruption Act, 1988, registered at Police Station U.P. Vigilance Establishment Lucknow Sector, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 17.10.2023 against four persons, including the applicant, alleging that co-accused Anang Pal Panwar, who was working as a Manager in Shreetron India Ltd. had applied for retirement through e-mail received by the applicant and the then Managing Director of the Company -co-accused Suresh Chandra Gupta, IAS had accepted his VRS (Voluntary Retirement Scheme). In consequence thereof, the applicant had closed E.P.F account and payment of Rs. 86,848/- to the aforesaid co-accused Anang Pal Panwar towards payment of full and final settlement was made by other co-accused. Subsequently, Anang Pal Panwar again joined services of Shreetron India Ltd. and it is alleged that VRS benefit was

wrongly paid to him.

4. In the affidavit filed in support of the anticipatory bail application it has been contended that the applicant is a 64 years old innocent persons having no criminal history and he has retired from service in the year 2020.

5. The learned counsel for the applicant has submitted that the applicant was working on a post subordinate to the post of managing director and as the VRS claim of co-accused Anang Pal Panwar had been accepted by the managing director of a corporation, the applicant had merely performed his final duties as a subordinate to a managing director by sending email for V.R.S to Managing Director of co-accused Suresh Chandra Gupta. He has further submitted that there is no allegation of commission of offence under Sections 467, 468, 471 and 201 I.P.C. against the applicant. He further submitted that one of the co-accused Rakesh Kumar Gupta has already been granted anticipatory bail by means of an order dated 05.12.2023 passed by this court in Criminal Misc. Anticipatory Bail Application No. 2782 of 2023.

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 one of the co-accused persons has already been granted anticipatory bail and that the applicant is a 64 years old retired persons having no criminal history and he does not appear to be in a position to influence any witness and tamper with the evidence and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant .

8. In view of the above, the anticipatory bail application of the applicants is **allowed**. In the event of arrest/ appearance of applicant- **Devi Singh Rajpurohit** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii) That the applicant shall not pressurize/intimidate the prosecution witness;

(Subhash Vidyarthi, J.)

Order Date :- 14.12.2023
Preeti.