

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15102 of 2023

Applicant :- Pritee Singh

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

Counsel for Applicant :- Pravesh Kumar Tiwari, Nishant Srivastava, Vivek Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Nishant Srivastava, the learned counsel for the applicant, Sri. Jayant Singh Tomar, the, learned AGA-I for the State as well as Sri Shailendra Singh Chauhan, the learned counsel for the informant and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 561 of 2023, under Sections 409, 420 & 506 IPC, Police Station Vibhuti Khand (East) Commissionerate Lucknow, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.10.2023 against 5 persons, including the applicant, stating that the informant and several other persons had made some investment in Elected Spire Private Limited but upon demanding returns, the same was declined.

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. A supplementary affidavit has been filed on behalf of the applicant disclosing her involvement in another case.

5. The learned counsel for the applicant has submitted that co-accused Mukesh Kumar, has already been granted bail by means of an order dated 16.12.2023 passed by this Court in

Criminal Misc. Bail Application No. 14843 of 2023.

6. The learned counsel for the informant has vehemently opposed the bail application and he has submitted that the applicant has duped numerous persons besides the informant, therefore, he should not be released on bail.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the grievance of the informant is regarding non payment of returns of money invested in a company and apparently, besides lodging the FIR no proceedings have been initiated for recovery of the returns and coupled with the fact that the applicant has no previous criminal history and he is languishing in jail since 17.11.2023 whereas a co-accused has already been granted bail and without making any observation, which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail on the ground of parity.

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

9. Let the applicant- **Pritee Singh** 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 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 :- 20.12.2023

Preeti.