

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2972 of 2023

Applicant :- Jasvinder Singh

Opposite Party :- State Of U.P. Thru. Prin.Secy. Home Deptt.
And Another

Counsel for Applicant :- Shiv Prakash Dwivedi,Vineet Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Shiv Prakash Dwivedi, the learned counsel for the applicant as well as Sri Amitabh Chaturvedi, the learned Additional Government Advocate 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.0067 of 2023, under Sections 406, 420, 467, 468, 471, 506 I.P.C., registered at Police Station Gomti Nagar Extension, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 16.03.2023 against three persons, not including the applicant, alleging that on the persuasion of one of the named accused persons Mrinal Sinha, the informant had invested Rs.1,42,00,000/- in cash in Suvidha Foundation Trust managed by other two named accused persons for organizing a live musical concert in Ekana Stadium, Lucknow on 20.11.2022 on an assurance that after the concert the invested money will be refunded along with profit within a period of two months. Thereafter no live concert was held and the informant came to know that the accused persons had not booked the stadium.

4. Although, the applicant is not named in the F.I.R., during investigation it transpired that Suvidha Foundation had entered into an agreement with BeatIt Entertainment which in turn contacted the applicant for providing services of some artists.

5. The Investigating Officer had issued a notice to the applicant and the applicant has given a reply to the notice on 29.09.2023.

6. One of the co-accused persons Amit Agarwal, who was not named in the FIR and who was implicated because he is the founder of BeatIt Entertainment has been granted anticipatory

bail by means of an order dated 06.09.2023 passed by this Court in Criminal Misc. Anticipatory Bail Application No. 1976 of 2023.

7. In the affidavit filed in support of the anticipatory bail-application it has been contended that the applicant is innocent, he has no criminal history and he has falsely been implicated in the present case.

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

9. Having considered the aforesaid facts and circumstances of the case and coupled with the fact that the applicant has no criminal history 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.

10. In view of the above, the anticipatory bail application of the applicant is ***allowed***. In the event of arrest/ appearance of applicant-***Jasvinder Singh*** 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.

Order Date :- 20.12.2023

Pradeep/-