

Court No. - 16

Case :- CRIMINAL APPEAL No. - 2035 of 2024

Appellant :- Preeti Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another

Counsel for Appellant :- Sarvesh Kumar Shukla, Keshav Gupta

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed, J.

Heard Sri Sarvesh Kumar Shukla, learned counsel for the applicant and Sri Ashok Kumar Singh, learned A.G.A-I for the State.

By the instant appeal, the appellant is seeking anticipatory bail against the judgment and order dated 31.05.2024 passed by learned Special Judge SC/ST Act, District-Lucknow in Bail Application No.4071/2024; Preeti Singh vs. State of U.P. arising out of Case Crime No.138/2024 under Section 147/149/307 I.P.C. and Section 3(1) (Da)(Dha) and Section 3(2) (5) SC/ST Act, Police Station-Aashiyana, District-Lucknow.

The contention of the learned counsel for the appellant is that no offence against the appellant is disclosed and the present prosecution has been instituted with a mala fide intention for the purpose of harassment.

Per contra, learned A.G.A-I for the State contends that from the allegation made in the F.I.R., prima facie offence is made out against the applicant. The innocence of appellant cannot be adjudged at the pre trial stage. Therefore, the appellant does not deserve any indulgence.

After arguing at some length learned counsel for the appellant requests that the appellant may be permitted to file his regular bail before the appropriate court of law and a direction may be issued to dispose of such application at the earliest in the light of dictum of Apex Court in **Criminal Appeal No.929 of 2021, Aman Preet Singh vs. C.B.I. through Director.**

Thus, without commenting anything on the merits of the case, the present appeal seeking anticipatory bail moved on behalf of the appellant is finally **disposed of** in terms that the appellant may appear and move an appropriate regular bail application before the trial court within four weeks from today and if such

an application is moved, the trial court shall be under an obligation to dispose of the same strictly, in accordance with the law as laid down by Hon'ble Supreme Court in **Criminal Appeal No.929 of 2021, Aman Preet Singh vs. C.B.I. through Director** after hearing the Public Prosecutor.

Order Date :- 5.7.2024

Piyush/-