



2025:UHC:11450

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

22ND DECEMBER, 2025

ANTICIPATORY BAIL APPLICATION NO.1264 of 2025

Nitin Kumar and Another Applicants

Versus

State of Uttarakhand Respondent

Counsel for the Applicants : Mr. Rajveer Singh,
Advocate.

Counsel for the Respondent : Mr. Tumul Nainwal,
Assistant Government
Advocate assisted by
Mr. Chitrarth Kandpal,
Brief Holder.

Hon'ble Alok Kumar Verma,J.

This Application has been filed by the applicants seeking anticipatory bail in Case Crime No.512 of 2022, registered at Kotwali Roorkee, District Haridwar under Sections 420, 467, 468, 471 and Section 120B of the Indian Penal Code, 1860.

2. According to the respondent-State, the applicant no.1 had purchased the property-in-question from co-accused Umesh Chand, who was impersonating Jagdish Singh, the real owner of the property. The said property was valued at Rs.8 crore, which has been



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shown to be purchased for one crore twelve lakh. The applicant no.2 was a witness to the sale-deed.

3. An Anticipatory Bail Application was filed by the applicants. The said Anticipatory Bail Application (No.599 of 2025) has been rejected by the learned 1st Additional Sessions Judge, Roorkee, District Haridwar on 05.12.2025.

4. Heard Mr. Rajveer Singh, learned counsel for the applicants and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

5. Mr. Rajveer Singh, Advocate, contended that the applicant no.1 is a bonafide purchaser. He has filed a Civil Suit (O.S. No.270 of 2022, "Nitin Kumar Vs. Jagdish Singh and Others"). The learned trial court has granted temporary injunction to the applicant no.1. The said Suit is still pending. The named co-accused Bijendra alias Bittu Saini and Shiv Kumar have been acquitted by the trial court and the other co-accused persons have been granted bail. Applicant was not arrested during the investigation. He was granted interim relief in the writ petition, filed by them under Article 226 of the Constitution of India for quashing the First Information Report. Now, a charge-sheet has been filed. Therefore, there is no chance of tampering with



the evidence. Applicants have no criminal antecedents. They are permanent residents of District Haridwar, therefore, there is no possibility of their absconding.

6. Mr. Tumul Nainwal, learned Assistant Government Advocate, has opposed the anticipatory bail application orally.

7. Personal liberty under Article 21 of the Constitution of India is very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

8. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on the merits of the case, the present Application, filed for anticipatory bail, is allowed. It is directed that in the event of the arrest of the applicants Nitin Kumar and Naseer Ahmad, they shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, by each one of them, to the satisfaction of the Investigating Officer/ Arresting Officer, subject to the following conditions:-

(i) Applicants shall attend the trial court



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regularly and they shall not seek any unnecessary adjournment;

(ii) Applicants shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

(iii) Applicants shall not leave the country without the previous permission of the trial court.

9. It is made clear that if the applicants misuse or violate any of the conditions, imposed upon them, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.

ALOK KUMAR VERMA, J.

Dt:22.12.2025
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