



2025:AHC:229052

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 3933 of 2025

Sagar Tanwani

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Anuj Kumar Singh, Imran Ullah, Vineet Vikram
Counsel for Opposite Party(s)	: G.A., Gopal Das Srivastava, Prabhat Kumar Tiwari, Prashant Singh

Court No. - 70

HON'BLE SANTOSH RAI, J.

1. Learned counsel for the informant and learned AGA for the State-respondent are present. None appears on behalf of the applicant to press the bail application.

2. Learned counsel for the informant submits that vide order dated 20.6.2025 matter was referred for mediation before Mediation Centre for amicable settlement of the dispute and, consequently, this Court has granted interim bail to the applicant for appearance before the mediation centre. Order dated 20.6.2025 is quoted hereinbelow for ready reference.

"1. Heard learned counsel for applicant, learned A.G.A. for State and Sri Prabhat Kumar Tiwari, learned counsel for informant.

2. At the very outset, it has been jointly requested by learned counsel for the parties for sending the matter before the Allahabad High Court Mediation and Conciliation Centre, since there are ample chances of mediation between the parties.

3. In view of the above, let the instant matter may be sent before the Allahabad High Court Mediation and Conciliation Centre, on account of the fact that learned counsel for the applicant undertakes to deposit Rs.25,000/- before the Allahabad High Court Mediation and Conciliation Centre, out of which Rs.20,000/- may be reimburse in favour of informant for meeting the initial expenses.

4. If the amount of Rs.20,000/- be deposited within 15 days from today, Allahabad High Court Mediation and Conciliation Centre will fix any date immediately after deposition of the amount as directed above by way of intimating the same to both the parties and proceed for mediation.

5. *Report of the outcome of mediation may be placed through Registrar (Compliance) before this Court, so that the matter may be adjudicated on the basis of mediation report.*

6. *List this case on 15.09.2025 along with mediation report.*

7. *Considering the above settlement made between the parties, let the applicant-Sagar Tanwani, be released on involved in Case Crime No.85 of 2024, under sections 409, 120B, 504, 506 I.P.C., P.S. Chowk, District- Varanasi, be released on interim bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-*

i. The applicant will not tamper with the evidence during the trial.

ii. The applicant will not pressurize/intimidate the prosecution witness.

iii. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted and/or the applicant shall make himself available for interrogation by a police officer as and when required.

iv. The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

v. 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.

vi. The applicant shall not leave India without the previous permission of the Court.

vii. In the event, the applicant changes residential address, the applicant shall inform the court concerned about new residential address in writing.

8. *In case of breach of any of the above condition, the prosecution shall be at liberty to move bail cancellation application before this Court. "*

3. Registrar AHCMCC has submitted mediation report on 2.9.2025 as ordered vide earlier order dated 20.6.2025 and perusal of said report it transpires that mediation was not successful and report says "Mediation completed. No agreement".

4. It also transpires from the record that the instant matter was listed on 15.9.2025 for hearing on bail application, as the mediation was unsuccessful, but on this date none appeared on behalf of applicant to press the application.

5. The case was again listed on 1.12.2025 and the following order was

passed by this Court on 1.12.2025:-

"1. Learned counsel for the informant and learned AGA for the State-respondent are present. None appears on behalf of the applicant.

2. Sri Anuj Kumar Singh, learned counsel for the applicant has sent an illness slip.

3. Learned counsel for the informant submits that the bail application of applicant is pending since long and learned counsel for the applicant has not complied with the order passed by this Court on 20.6.2025. It is submitted that learned counsel for the applicant is deliberately not appearing in the case.

4. In the interest of justice, one last opportunity is provided to learned counsel for the applicant to comply with the order dated 20.6.2025 and argue the bail application.

5. Put up on 18.12.2025.

6. It is made clear that no request for adjournment will be entertained on the next date and the matter shall be taken up in the first call itself and bail application shall be decided finally. "

6. Today, when the case is called up in first call of the cause list, again no one has put in appearance on behalf of the applicant to press the bail application, despite last opportunity granted to learned counsel for the applicant by this Court vide order dated 1.12.2025, which is quoted above.

7. In view of the malafide conduct and behaviour of accused applicant and negligent conduct of learned counsel for the applicant, misuse of liberty and facts and circumstances in totality, interim bail granted to the applicant vide order dated 20.6.2025 is rejected and, consequently, the present bail application is rejected.

8. Chief Judicial Magistrate, Varanasi is directed to issue non-bailable warrant against the accused applicant Sagar Tanwani and submit a compliance report in this regard within two weeks from the receipt of copy of this order.

9. Registrar (Compliance) is directed to communicate the above order to the court concerned within three days positively.

December 18, 2025
RA

(Santosh Rai,J.)