



2025:JHC-1 K0:2954

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2030 of 2025**

Akash Deep Srivastava

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. U.P.
And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Satyam Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

The present anticipatory bail application has been filed seeking anticipatory bail in Crime No-304/2025, Under Section 319(2), 318(2), 338, 336(2), 340(2), 61(2), 351(3) BNS Corresponding Sections 419, 417, 467, 465, 471, 120B, 506 IPC, Police Station- Bijnaur, District-Lucknow.

Heard learned counsel for the applicant as well as Shri Rajeev Kumar Verma, learned AGA for the State and Shri Nalin Arora, Advocate who has filed vakalatnama on behalf of the complainant which is taken on record.

In the prosecution case, it is alleged that the plot in question was transferred in favour of the applicant pursuant to a criminal conspiracy hatched with the co-accused persons, by preparing and using a forged sale deed.

Submission of learned counsel for the applicant is that the applicant has no criminal antecedents and the offence alleged is triable by a Magistrate. It is further contended that the applicant is a bona fide purchaser who has purchased the said plot for a valid consideration of Rs. 15,00,000/-. It is urged that the applicant had no knowledge of any alleged forgery and he has been falsely implicated in the present case.

Per contra, learned AGA as well as learned counsel appearing for the complainant have vehemently opposed the anticipatory bail application. It is submitted that the plot in question is alleged to have been sold by one

Jawaharlal Gurnani in favour of the applicant. In this regard, the death certificate of Jawaharlal Gurnani, issued by the Corporation of Chennai, has been produced, which clearly indicates that Jawaharlal Gurnani expired on 09.02.2004 and his death was duly registered on 01.03.2004.

It is further submitted by learned counsel for the complainant that a deceased person could not have executed a sale deed in favour of the applicant in the year 2017, thereby rendering the alleged sale deed *prima facie* forged. It is also pointed out that the entire consideration amount mentioned in the impugned sale deed is shown to have been paid in cash and no part of the said amount was ever credited to the applicant's bank account, which further casts serious doubt on the genuineness of the transaction.

Learned counsel for the applicant could not deny the fact that the entire consideration amount was received by him in cash.

Learned counsel for the complainant has also placed reliance upon a letter dated 17.11.2025 issued by the General Secretary, Lucknow Development Authority, addressed to Arun Kumar Singh, the Investigating Officer. The said letter categorically states that the plot in question, namely Plot No. D-8, Sector-D, Kanpur Road Scheme, was originally allotted in favour of Banwari Lal Jhangra and was never allotted to Jawaharlal Gurnani. It is further stated therein that no record relating to allotment or registration of the said plot in favour of Jawaharlal Gurnani is available in the official records of the Lucknow Development Authority. The said letter dated 17.11.2025, along with the death certificate of Jawaharlal Gurnani, is taken on record.

Upon due consideration of the gravity of the allegations, the nature of the offence, which includes an offence under Section 338 BNS punishable up to imprisonment for life, the documentary evidence placed on record including the death certificate of Jawaharlal Gurnani, and the submissions advanced on behalf of the complainant, this Court is of the *prima facie* view that it is not a case of false implication.

Anticipatory bail being an extraordinary and discretionary relief, this Court is not inclined to extend any indulgence in favour of the applicant.

Accordingly, the anticipatory bail application is ***dismissed***.

(Karunesh Singh Pawar,J.)

December 17, 2025
R.C.