

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:2966
			<u>BA1 No. 355 of 2026</u> Mastram Kanswal Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Ashish Naithani, J.</u> Mr. Devang Dobhal, learned counsel for the Applicant. 2. Mr. J.P. Kandpal, learned A.G.A. for the State of Uttarakhand. 3. The present Bail Application has been moved by the Applicant—Mastram Kanswal, S/o Sri Budhram Kanswal, R/o Village Girgaon, Block Road Ghansali, P.S. Ghansali, District Tehri Garhwal. The Applicant is in judicial custody in connection with Case Crime/FIR No. 0005 of 2026, registered at Police Station Ghansali, District Tehri Garhwal, for offences punishable under Sections 318(4), 336(3), 337, 338 and 341(1) of B.N.S., 2023. 4. Learned counsel for the Applicant submits that the FIR is delayed and the delay has not been satisfactorily explained. It is argued that there is no material to show that the Applicant was operating the Common Service Centre in-question, which is stated to be registered in the name of his wife. It is further contended that no forged or fictitious documents were recovered from the possession of the Applicant; no independent witness was associated during the search and seizure despite the place being situated in a populous market area, thereby violating Section 103(4) of B.N.S.S., 2023. It is also submitted that ingredients of forgery for cheating are not made out against the Applicant; he was not present on the spot, has been falsely implicated and is in custody since 09.02.2026. 5. Per contra, learned A.G.A. opposed the bail application and submitted that the delay in lodging the FIR stands explained in the

			FIR as well as in the statements of the complainant. It is further submitted that during investigation, it has surfaced that CSC Centre ID No. 517392430018 earlier operated in the name of the Applicant had been blacklisted by ITDA, Uttarakhand owing to serious irregularities, whereafter the Applicant procured another CSC ID in the name of his wife and continued operating the same himself. During inspection conducted by the S.D.M., incriminating material including seals of Advocate R.P. Ratudi, multiple A4 sheets bearing such seals, PCC certificates, e-challan pages, and material relating to forged digital signatures and fabricated seals were allegedly recovered from the Centre and linked to the Applicant. It is thus contended that serious offences involving forgery and misuse of official records are <i>prima facie</i> disclosed and no case for bail is made out. 6. Having heard rival submissions and upon perusal of the record, this Court finds that the allegations against the Applicant pertain to preparation and use of forged documents, fabrication of digital signatures and misuse of a Common Service Centre for fraudulent purposes. At this stage, there appears <i>prima facie</i> material collected during investigation, including alleged recoveries and the inspection report, connecting the Applicant with the commission of the offences alleged. The contention regarding delayed FIR, non-association of independent witnesses and disputed ownership/operation of the CSC Centre are matters which require appreciation of evidence during trial and do not, at this stage, dislodge the <i>prima facie</i> case emerging from the case diary. 7. Considering the nature and gravity of accusations, the manner in which the alleged offences have been committed, and the material collected during investigation, this Court is not inclined to exercise discretion in favour of the Applicant.
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