



2026:UHC:4294

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

First Bail Application No. 530 of 2026

Dinesh Prasad Bijalwan

.....Applicant

Vs.

State of Uttarakhand

.....Respondent

Counsel Presence:

Mr. Abhishek Verma, learned counsel for the Applicant.

Mr. Pradeep Lohri, learned A.G.A. for the State.

Hon'ble Ashish Naithani, J (Oral)

1. The present bail application has been moved by the applicant Dinesh Prasad Bijalwan seeking his release on bail in connection with FIR No.102 of 2025, under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Raiwala, District Dehradun.

2. Briefly stated, the prosecution case is that an FIR came to be lodged at Police Station Raiwala alleging that the informant and one other purchaser had entered into transactions for purchase of certain rehabilitation plots situated at Pratit Nagar, Raiwala, through co-accused Dinesh Padiyar. It is alleged that six agreements to sell were executed in respect of Plot Nos.68, 69, 70, 71, 72 and 76 and, pursuant thereto, a total amount of Rs.38,25,000/- was paid by the purchasers. Subsequently, upon verification, it allegedly transpired that the persons shown as plot

owners in the agreements were not the actual allottees and that forged documents had been prepared by impersonating the original allottees. During investigation, allegations of forgery, impersonation and criminal conspiracy surfaced, whereupon offences under Sections 419, 467, 468, 471 and 120-B IPC were added to the case.

3. The investigation further revealed that the plots in question had originally been allotted under the rehabilitation scheme of Tehri Dam Project and that forged agreements to sell had allegedly been prepared by substituting fictitious persons in place of the original allottees and by using forged identity documents.

4. The State alleges that the present applicant, along with the co-accused persons, participated in the said conspiracy and received part of the amount obtained from the complainant and the other purchaser. During the course of investigation, the name of the present applicant surfaced and he was arrested on 19.01.2026 and has remained in judicial custody since 20.01.2026. After completion of investigation, charge-sheet has been submitted against the applicant and co-accused persons for the aforesaid offences.

5. Learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case. It is argued that the applicant is not a named accused in the FIR and that the entire prosecution story initially revolved around co-accused Dinesh Padiyar. It is further submitted that the applicant is neither an executant nor an attesting witness to any of the agreements to sell allegedly relied upon by the State.

6. Learned counsel would contend that no material has been collected to establish that the applicant participated in preparation of any forged document or impersonation of any allottee. It is further argued that investigation stands completed, charge-sheet has

already been filed, the applicant has remained incarcerated since 20.01.2026 and no useful purpose would be served by his continued detention.

7. It is also submitted that the applicant has no criminal antecedents and undertakes to cooperate with the trial.

8. Per contra, learned A.G.A. opposed the bail application and submitted that the allegations against the applicant are grave in nature. It is argued that the present case discloses a well-planned conspiracy involving impersonation, preparation of forged documents and cheating of innocent purchasers to the tune of Rs.38,25,000/-.

9. Learned A.G.A. submits that during investigation material has surfaced indicating that certain amounts were transferred to the account of the present applicant and that his involvement in the conspiracy has been revealed from the statements of witnesses and documentary evidence collected during investigation. It is thus argued that considering the seriousness of the allegations and the role attributed to the applicant, he does not deserve to be enlarged on bail.

10. This court observes that the allegations against the present applicant arise out of a transaction pertaining to certain rehabilitation plots situated at Pratit Nagar, Raiwala, wherein it is alleged that forged agreements to sell were prepared by impersonating the original allottees and, on the basis of such forged documents, an amount of Rs.38,25,000/- was obtained from the complainant and another purchaser.

11. The State's case further is that the applicant acted in concert with the co-accused persons and received certain amounts out of the alleged proceeds of the transaction.

12. At the same time, it is not disputed that the present applicant is not a named accused in the first information report. The FIR

primarily proceeds against co-accused and the entire transaction of sale is stated to have been undertaken through him.

13. It is also apparent from the record that the applicant is neither an executant nor an attesting witness of the agreements to sell which form the foundation of the prosecution case. The precise extent of his involvement and the evidentiary value of the material collected against him are matters which shall be tested during trial on the basis of evidence adduced before the learned trial court.
14. It is further borne out from the record that the applicant is in judicial custody since 20.01.2026. Investigation against the applicant stands completed and charge-sheet has already been submitted before the competent court. Consequently, no further custodial interrogation of the applicant appears to be necessary. The material sought to be relied upon by the State is substantially documentary in nature and is already within the custody of the investigating agency.
15. Though learned State Counsel has opposed the bail application by contending that the applicant was part of a larger conspiracy involving impersonation, preparation of forged documents and cheating of innocent purchasers, and that certain monetary transactions have also surfaced during investigation, however, at this stage, this Court is not required to undertake a meticulous examination of the evidence collected by the prosecution or record any finding regarding the guilt or innocence of the applicant. Such issues shall necessarily be determined during trial.
16. The offences alleged are undoubtedly serious in nature. However, seriousness of accusation by itself cannot be made the sole ground for continued detention once investigation has been completed and the presence of the accused during trial can be secured by appropriate conditions. There is nothing on record at

this stage to indicate that the applicant would abscond from the process of law or that his release on bail would prejudice the fair conduct of the trial.

17. Having regard to the entirety of the facts and circumstances of the case, the nature of accusations, the role attributed to the applicant, the fact that he was not named in the FIR, the completion of investigation, submission of charge-sheet, the period of incarceration already undergone and without expressing any opinion on the merits of the case, this Court is of the considered view that the applicant has succeeded in making out a case for grant of bail.

ORDER

The bail application is **allowed**.

Let the applicant Dinesh Prasad Bijalwan be released on bail in connection with FIR No.102 of 2025, under Sections 419, 420, 467, 468, 471 and 120-B IPC, Police Station Raiwala, District Dehradun, upon furnishing a personal bond and two reliable sureties each in the like amount to the satisfaction of the court concerned.

(Ashish Naithani, J.)

Dated:25.05.2026

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