



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 612 of 2026

Dinesh Padiyar

.....Applicant

Vs.

State of Uttarakhand

.....Respondent

Presence: Mr. D.N. Sharma learned counsel for the Applicant.

Mr. Pratiroop Pandey, learned AGA for the State for the Respondent.

Hon'ble Ashish Naithani, J. (Oral)

Present bail application has been moved by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking enlargement on bail in connection with FIR No.0102 of 2025, registered at Raiwala Police Station, District Dehradun, for offences punishable under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code.

2. The State's case, in brief, is that the informant namely Pratap Singh alleged that he had entered into agreements to purchase certain plots of land from the present applicant and had paid an amount of Rs. 38,25,000/- towards the said transaction, however, the sale deeds were not executed in his favour and during investigation allegations of impersonation, forgery and conspiracy also came to be added against the applicant.

3. Heard learned counsel for the parties and perused the material available on record.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and that the dispute essentially arises out of a land transaction of civil nature. It is submitted that the agreements were executed between the parties and payments were admittedly made through banking channels, which prima facie demonstrates the existence of a commercial transaction between the parties.

5. It is further submitted that the FIR was initially registered only under Section 420 IPC alleging non-execution of sale deed, however, during the course of investigation, serious offences relating to forgery and conspiracy were subsequently added without there being any cogent scientific or expert evidence on record.
6. Learned counsel for the applicant submits that no forensic examination, handwriting expert opinion or verification from any competent authority has been brought on record to prima facie substantiate the allegations of forgery and impersonation. It is argued that no forged material has been recovered from the possession of the applicant.
7. It is further submitted that the entire State's case rests upon documentary evidence including agreements, bank transactions and statements of witnesses, all of which are already in possession of the investigating agency and therefore no further custodial interrogation of the applicant is required.
8. Learned counsel also submits that the applicant is in judicial custody since 25.12.2025 and the investigation in the matter already stands completed and charge-sheet has been submitted before the competent court.
9. It is further argued that the allegations, even if taken at their face value, primarily disclose a dispute relating to performance of contractual obligations arising out of a land transaction and whether the ingredients of offences under Sections 419, 467, 468 and 471 IPC are made out or not, are matters requiring evidence during trial.
10. Per contra, learned State counsel opposed the bail application and submitted that during investigation it was revealed that the applicant along with co-accused persons forged agreements by impersonating actual allottees of land and thereby cheated the informant of Rs. 38,25,000/-. It is submitted that the allegations are serious in nature and therefore the applicant does not deserve indulgence of this Court.



11. Learned State counsel further submitted that statements of witnesses and allottees recorded during investigation support the State's case and if the applicant is enlarged on bail, there exists possibility of influencing witnesses or interfering with the course of trial.

12. This Court finds that the allegations against the present applicant primarily arise out of agreements relating to sale and purchase of land and the State's case substantially rests upon documentary material already collected during investigation.

13. This Court further finds that although offences relating to forgery and impersonation have been added during investigation, the evidentiary value and genuineness of the alleged documents are matters which shall be tested during the course of trial.

14. At this stage, no conclusive forensic or expert material has been placed before this Court indicating that the alleged documents have been scientifically established to be forged by the present applicant. Whether the applicant had dishonest intention from the inception of the transaction and whether the ingredients constituting the alleged offences are made out are issues requiring detailed adjudication during trial.

15. It is also relevant that the investigation already stands completed and charge-sheet has been filed before the competent court. The entire documentary material relied upon by the state is already in custody of the investigating agency.

16. The applicant is in judicial custody since 25.12.2025 and the trial is likely to take considerable time for its conclusion.

17. There is nothing substantial placed before this Court indicating that the applicant has any criminal antecedents or that he is likely to abscond from the process of law. Appropriate conditions can adequately safeguard the interest of the state.



18. It is settled principle of criminal jurisprudence that at the stage of consideration of bail, a detailed appreciation of evidence is not required and the Court is only expected to form a prima facie opinion on the basis of material available on record. The guilt of the accused is yet to be established during trial and continued incarceration before conclusion of trial would amount to pre-trial punishment.

19. Considering the nature of allegations, the documentary nature of evidence, absence of conclusive forensic material at this stage, completion of investigation, period of incarceration already undergone by the applicant and without expressing any opinion on the merits of the case, this Court is of the considered opinion that the applicant has made out a fit case for grant of bail.

ORDER

20. Accordingly, the bail application is **allowed**.

21. Let the applicant Dinesh Padiyar be released on bail in connection with FIR No. 0102 of 2025, registered at Raiwala Police Station, District Dehradun, on furnishing a personal bond and two reliable sureties each in the like amount to the satisfaction of the Court concerned.

22. The applicant shall not misuse the liberty of bail in any manner whatsoever.

(Ashish Naithani, J.)
25.05.2026

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