



2026:UHC:1593

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

11th MARCH, 2026

ANTICIPATORY BAIL APPLICATION NO. 1003 OF 2025

Smt. Hema Devi and Another Applicants

Versus

State of Uttarakhand and Another Respondents

Counsel for the Applicants : Mr. D.S. Mehta, Advocate.

Counsel for the Respondent : Mr. Pratiroop Pandey,
No.1. Assistant Government
Advocate.

Counsel for the Respondent : Mr. B.M. Pingal,
No.2. Advocate.

Hon'ble Alok Kumar Verma, J.

This Application has been filed for anticipatory bail in Case Crime No.51 of 2025, registered at Police Station Bhowali, District Nainital under Section 420 of the Indian Penal Code, 1860.

2. According to the First Information Report dated 11.08.2025, the applicant no.1 executed an agreement to sell in favour of the informant and his wife. The applicants received advance money, but sale-deed was not executed.

3. Heard Mr. D.S. Mehta, learned counsel for the applicants, Mr. Pratiroop Pandey, learned Assistant Government Advocate for the respondent no.1 and Mr. B.M. Pingal, learned counsel for the respondent no.2.

4. Mr. D.S. Mehta, Advocate, submitted that the



applicants were always ready and willing to perform their part of the agreement, but the informant and his wife denied to purchase the property. The present dispute is civil in nature. Applicants are permanent resident of District Nainital, therefore, there is no possibility of their absconding. They were granted interim bail on 02.09.2025 and the conditions of the interim bail have not been violated by them, and, the charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence.

5. Mr. Pratiroop Pandey, Assistant Government Advocate, and Mr. B.M. Pingal, Advocate, have opposed the anticipatory bail application.

6. Personal liberty under Article 21 of the Constitution of India is very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

7. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on the merits of the case, the present Anticipatory Bail Application is allowed and the order dated 02.09.2025, granting interim bail to the applicants, are made absolute. It is directed that in the event of arrest of the applicants Smt. Hema Devi and Harish Lal, they shall be released on anticipatory bail on



2026:UHC:1593

executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, by each one of them, to the satisfaction of the Arresting Officer, subject to the following conditions:-

- (i) Applicants shall attend the trial court regularly and they shall not seek any unnecessary adjournment;
- (ii) Applicants shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case.
- (iii) Applicants shall not leave the country without the previous permission of the trial court.

8. It is made clear that if the applicants misuse or violate any of the conditions, imposed upon them, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.

ALOK KUMAR VERMA, J.

Date: 11.03.2026
pant/