



2026:UHC:1906

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

19TH MARCH, 2026

ANTICIPATORY BAIL APPLICATION NO.1188 of 2025

Mohammad Sameer Kamyab ...Applicant

Versus

State of Uttarakhand ...Respondent

Counsel for the Applicant : Ms. Ashwarya Thapliyal,
Advocate holding brief of Mr.
Abhishek Verma, Advocate.

Counsel for the State : Mr. Deepak Bhardwaj, Brief
Holder.

Hon'ble Alok Kumar Verma,J.

This Application has been filed for anticipatory bail in Case Crime No.346 of 2018, registered at Police Station Vikasnagar, District Dehradun under Sections 420, 467, 468, 471, 506 and Section 120B of the Indian Penal Code, 1860.

2. According to the First Information Report dated 01.08.2018, the informant is a partner of M/S Mountain Construction Firm. Mohd. Salman, the co-accused, executed a registered agreement to sell dated 24.08.2017 in favor of Mohammad Sameer Kamyab (applicant) and co-accused Sudhir Malik by showing a fake authority letter of the firm.

3. Heard Ms. Ashwarya Thapliyal, learned



counsel holding brief of Mr. Abhishek Verma, learned counsel for the applicant and Mr. Deepak Bhardwaj, learned Brief Holder for the respondent.

4. Ms. Ashwarya Thapliyal, Advocate, submitted that the applicant had bonafidely entered into the agreement to sell dated 24.08.2017 (without possession) by paying Rs.1.00 lakh (one lakh). He entered into the said agreement by investing his money on the request of Sudhir Malik, the co-accused. Applicant has not done any illegal act, rather, he is a victim. He is a permanent resident of District Dehradun, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence, and, regular bail has been granted to the co-accused Mohd. Salman and the co-accused Sudhir Malik and anticipatory bail has been granted to Shamshad Ali, the co-accused.

5. Mr. Deepak Bhardwaj, Brief Holder, has opposed the anticipatory bail application orally.

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.



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7. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, the present Application, filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant-Mohammad Sameer Kamyab, he shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/ - and two reliable sureties, each of the like amount, to the satisfaction of the Arresting Officer, subject to the following conditions: -

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

8. It is made clear that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail granted to the applicant.

ALOK KUMAR VERMA, J.

Date: 19.03.2026
JKJ/Pant