2026:AHC:186709

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31496 of 2026

Jasveer Singh

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashma Dwivedi, Ravi Prakash Tripathi, Santosh Kumar Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 64

HON'BLE VIVEK VARMA, J.

1. Heard learned counsel for the applicant and Sri S.S. Pandey, learned A.G.A. for the State-opposite party.

2. The present bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No.151 of 2026, under Sections 352, 351(3), 318(4), 319(2), 61(2)(a), 111(4) B.N.S., Police Station Sardhana, District Meerut, during the pendency of the trial.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. The first information report has been lodged belatedly after a delay of more than five months. Inordinate delay in lodging the first information report is fatal to the prosecution case. No amount relating to the alleged transaction has been received by the applicant. The applicant is not a beneficiary of the illicit transactions. The applicant is also not a signatory of the agreement executed between co-accused Jagmohan and the informant. The applicant has no role in the alleged incident. At this stage there is no corroborative evidence to link the applicant with the offence. It is next contended that the applicant is neither a member of any organized crime syndicate nor he acted on behalf of such syndicate. Further, the co-accused Gulhasan has been granted bail by this Court vide order dated 3.9.2026 passed in Criminal Misc. Bail Application No.28643 of 2026. Applicant claims parity. Criminal history of the applicant has been explained in Paragraph- 11 of the affidavit. The applicant is in jail since 01.03.2026 and if he is released on bail, he will not misuse the said liberty.

4. Learned A.G.A. has opposed the prayer for bail. He submits that the applicant has criminal antecedents.

5. Having heard counsel for the parties and having perused the record, this Court prima facie finds that the first information report has been lodged with inordinate delay. At this stage there is no corroborative evidence to link the applicant with the offence. The co-accused Gulhasan has been granted bail by this Court.

6. In so far as criminal antecedents of the applicant is concerned, it is not the case of the State that applicant might tamper with or otherwise adversely influence the investigation, or that he might intimidate witnesses before or during the trial. The State has also not placed any material that applicant in past attempted to evade the process of law. In the opinion of this Court, if the accused is otherwise found to be entitled to bail, he cannot be denied bail only on the ground of criminal history, no exceptional circumstances on the basis of criminal antecedents have been shown to deny bail to accused, hence, the Court does not feel it proper to deny bail to the applicant just on the ground that he had criminal antecedent.

7. In **Ash Mohammad Vs. Shiv Raj Singh, (2012) 9 SCC 446**, the Apex Court in para 30 has observed:-

"We may hasten to add that when we state that the accused is a history-sheeter we may not be understood to have said that a history-sheeter is never entitled to bail. But, it is a significant factor to be taken note of regard being had to the nature of crime in respect of which he has been booked."

8. In the case of **Prabhakar Tewari Vs. State of U.P. and another, 2020 (11) SCC 648**, the Hon'ble Supreme Court has observed that pendency of several criminal cases against an accused may itself cannot be a basis for refusal of bail.

9. Further, the applicant has remained confined for more than six months and there is no hope of early conclusion of trial, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

10. Let the applicant- **Jasveer Singh**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two heavy sureties (in view of criminal history) each in the like amount to the satisfaction of the

court concerned subject to conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses;

(iv) shall mark his presence at the concerned police station on first Sunday of every month between 11.00 am and 01.00 pm.

11. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

September 8, 2026

Manish Kr

(Vivek Varma,J.)

Digitally signed by :-
MANISH KUMAR
High Court of Judicature at Allahabad