

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No.2683 of 2023

Khushwant SinghApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Vikas Anand and Ms. Gyanmati Kushwaha, Advocates for the applicant.

Mr. Pramod Tiwari, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

The applicant is in judicial custody in FIR No.10 of 2023, dated 04.01.2023, under Sections 420, 406, 467, 468, 471 IPC, Police Station Rudrapur, District Udham Singh Nagar. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR the applicant assured the informant to send his family members for higher studies to England and took ₹14,20,000/-. But, neither the family members of the informant were sent to England nor the money was returned.

4. Learned counsel for the applicant would submit that the case is false; the money has never been

transferred in the account of the applicant; the applicant has not assured the informant and his family members to send them abroad.

5. The Court particularly asked the learned State counsel, as to whether any money was ever deposited in the account of the applicant? He would submit that, in fact, the account was in the name of one Hosiyar Singh, who happens to be the son of the informant and the applicant used the ATM of that account to withdraw money.

6. Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

7. The bail application is allowed.

8. Let the applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the court concerned.

(Ravindra Maithani, J.)
24.04.2024