2025:UHC:10204

HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Misc Application No. 2024 of 2025

18 November, 2025

Kuldeep Nandrajog --Applicant

Versus

State Of Uttarakhand --Respondent

Presence:-
Mr. Sharang Dhulia, learned counsel for the applicant.
Mr. Akshay Latwal, learned AGA along with Ms. Sweta Badola Dobhal and Mr. Prabhat Kandpal, learned Brief Holders for the State.

Hon'ble Pankaj Purohit, J.

The present application has been filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023, seeking a direction to permit the Applicant to furnish common sureties in respect of all 96 cases, as mentioned in the relief clause of the Application, in which bail has already been granted by the court below but the Applicant could not be released since he could not arrange the separate sureties in each of the cases.

2. The brief facts of the case are that multiple FIRs have been lodged against the Applicant at Police Station Bahadrabad, District Haridwar, for offences under Sections 420 and 120-B of the IPC. The total number of cases stands at 96. The Applicant contends that he was working as a Director with M/s Octagon Builders & Promoters Pvt. Ltd. and had no role in the day-to-day affairs thereafter. It is further contended that he has been falsely implicated in these cases, which are similar in nature and pertain to the same transactions.

3. It is submitted that the applicant has been in judicial custody since long. In several of the said cases, he has been granted bail by the learned courts below. However, his release could not be secured as the orders require him to furnish two separate sureties in each case, which is practically impossible considering the large number of cases.

4. The Applicant applied for bail in all 96 cases, the

reference of which has been given in the relief clause of the application, which are reproduced as below:-

S.No.	Case Crime/FIR Nos.	Sections	Police Station in all FIR
1	418 of 2023	U/S 420 & 120-B of IPC	Bahadrabad, District Haridwar
2	157 of 2024	U/S 420 & 120-B of IPC	
3	183 of 2024	U/S 420 & 120-B of IPC	
4	190 of 2024	U/S 420 & 120-B of IPC	
5	145 of 2024	U/S 420 & 120-B of IPC	
6	159 of 2024	U/S 420 & 120-B of IPC	
7	186 of 2024	U/S 420 & 120-B of IPC	
8	188 of 2024	U/S 420 & 120-B of IPC	
9	214 of 2024	U/S 420 & 120-B of IPC	
10	178 of 2024	U/S 420 & 120-B of IPC	
11	221 of 2024	U/S 420 & 120-B of IPC	
12	220 of 2024	U/S 420 & 120-B of IPC	
13	217 of 2024	U/S 420 & 120-B of IPC	
14	207 of 2024	U/S 420 & 120-B of IPC	
15	171 of 2024	U/S 420 & 120-B of IPC	
16	142 of 2024	U/S 420 & 120-B of IPC	
17	182 of 2024	U/S 420 & 120-B of IPC	
18	232 of 2024	U/S 420 & 120-B of IPC	
19	144 of 2024	U/S 420 & 120-B of IPC	
20	211 of 2024	U/S 420 & 120-B of IPC	
21	219 of 2024	U/S 420 & 120-B of IPC	
22	179 of 2024	U/S 420 & 120-B of IPC	
23	27 of 2024	U/S 420 & 120-B of IPC	
24	177 of 2024	U/S 420 & 120-B of IPC	
25	29 of 2024	U/S 420 & 120-B of IPC	
26	465 of 2024	U/S 420 & 120-B of IPC	
27	176 of 2024	U/S 420 & 120-B of IPC	
28	129 of 2024	U/S 420 & 120-B of IPC	
29	25 of 2024	U/S 420 & 120-B of IPC	
30	487 of 2024	U/S 420 & 120-B of IPC	
31	26 of 2024	U/S 420 & 120-B of IPC	
32	200 of 2024	U/S 420 & 120-B of IPC	
33	28 of 2024	U/S 420 & 120-B of IPC	
34	228 of 2024	U/S 420 & 120-B of IPC	
35	501 of 2023	U/S 420 & 120-B of IPC	
36	204 of 2024	U/S 420 & 120-B of IPC	
37	167 of 2024	U/S 420 & 120-B of IPC	
38	473 of 2023	U/S 420 & 120-B of IPC	
39	155 of 2024	U/S 420 & 120-B of IPC	
40	466 of 2023	U/S 420 & 120-B of IPC	
41	136 of 2024	U/S 420 & 120-B of IPC	
42	469 of 2023	U/S 420 & 120-B of IPC	
43	180 of 2024	U/S 420 & 120-B of IPC	
44	472 of 2023	U/S 420 & 120-B of IPC	
45	500 of 2023	U/S 420 & 120-B of IPC	
46	30 of 2024	U/S 420 & 120-B of IPC	
47	470 of 2023	U/S 420 & 120-B of IPC	
48	218 of 2024	U/S 420 & 120-B of IPC	
49	137 of 2024	U/S 420 & 120-B of IPC	

50	475 of 2023	U/S 420 & 120-B of IPC	
51	482 of 2023	U/S 420 & 120-B of IPC	
52	464 of 2023	U/S 420 & 120-B of IPC	
53	480 of 2023	U/S 420 & 120-B of IPC	
54	406 of 2023	U/S 420 & 120-B of IPC	
55	477 of 2023	U/S 420 & 120-B of IPC	
56	489 of 2023	U/S 420 & 120-B of IPC	
57	160 of 2024	U/S 420 & 120-B of IPC	
58	184 of 2024	U/S 420 & 120-B of IPC	
59	185 of 2024	U/S 420 & 120-B of IPC	
60	503 of 2023	U/S 420 & 120-B of IPC	
61	471 of 2023	U/S 420 & 120-B of IPC	
62	148 of 2024	U/S 420 & 120-B of IPC	
63	450 of 2023	U/S 420 & 120-B of IPC	
64	151 of 2024	U/S 420 & 120-B of IPC	
65	457 of 2023	U/S 420 & 120-B of IPC	
66	141 of 2024	U/S 420 & 120-B of IPC	
67	467 of 2023	U/S 420 & 120-B of IPC	
68	43 of 2024	U/S 420 & 120-B of IPC	
69	502 of 2023	U/S 420 & 120-B of IPC	
70	138 of 2024	U/S 420 & 120-B of IPC	
71	455 of 2023	U/S 420 & 120-B of IPC	
72	24 of 2024	U/S 420 & 120-B of IPC	
73	149 of 2024	U/S 420 & 120-B of IPC	
74	462 of 2023	U/S 420 & 120-B of IPC	
75	146 of 2024	U/S 420 & 120-B of IPC	
76	478 of 2023	U/S 420 & 120-B of IPC	
77	154 of 2024	U/S 420 & 120-B of IPC	
78	484 of 2023	U/S 420 & 120-B of IPC	
79	389 of 2023	U/S 420 & 120-B of IPC	
80	233 of 2024	U/S 420 & 120-B of IPC	
81	215 of 2024	U/S 420 & 120-B of IPC	
82	143 of 2024	U/S 420 & 120-B of IPC	
83	153 of 2024	U/S 420 & 120-B of IPC	
84	32 of 2024	U/S 420 & 120-B of IPC	
85	37 of 2024	U/S 420 & 120-B of IPC	
86	35 of 2024	U/S 420 & 120-B of IPC	
87	132 of 2024	U/S 420 & 120-B of IPC	
88	216 of 2024	U/S 420 & 120-B of IPC	
89	131 of 2024	U/S 420 & 120-B of IPC	
90	152 of 2024	U/S 420 & 120-B of IPC	
91	156 of 2024	U/S 420 & 120-B of IPC	
92	150 of 2024	U/S 420 & 120-B of IPC	
93	128 of 2024	U/S 420 & 120-B of IPC	
94	158 of 2024	U/S 420 & 120-B of IPC	
95	140 of 2024	U/S 420 & 120-B of IPC	
96	133 of 2024	U/S 420 & 120-B of IPC	

5. Learned counsel for the Applicant submits that in similar circumstances, the Coordinate Benches of this Court has granted relief by permitting common sureties in Criminal Misc. Application No. C-528/226/2024 (order dated 16.08.2024) and Criminal Misc. Application No. C-528/369/2025 (order dated 25.03.2025).

6. Learned counsel for the Applicant further submits that the Applicant produced a Rent Agreement as proof of tenancy. Same is taken on record.

7. Per contra, learned State counsel opposes the application on the ground that the satisfaction of sureties lies within the discretion of the trial court, and the informants in the individual cases should also be heard before any blanket relief is granted. He further submits that the Rent Agreement provided by the learned counsel for the Applicant is not a valid ground as the tenancy is changeable.

8. This Court considered the submissions of both sides and perused the record. It is evident that the Applicant is facing multiple prosecutions, all arising out of similar allegations of cheating in the name of providing land/plots. In most of these cases, he has been enlarged on bail, but his continued incarceration is solely due to his inability to furnish separate sureties in each case.

9. The Coordinate Benches of this Court, in previous orders dated 16.08.2024 and 25.03.2025 in the Applicant’s earlier petitions, have granted similar relief, allowing the Applicant to furnish common sureties in multiple cases. The present matter stands on the same footing.

10. This Court is, therefore, confronted with the question as to whether, in such exceptional circumstances, the Applicant may be permitted to furnish a single set of sureties and personal bond to operate across all the FIRs in which bail has already been granted.

11. The provisions of Section 441 of the Code of Criminal Procedure govern the nature and sufficiency of bonds and sureties to be executed upon the grant of bail. The law empowers the Court to determine, in each case, what conditions would reasonably secure the

presence of the accused at trial.

12. In the opinion of this Court, when bail has already been granted in each of the 96 FIRs, and there is no allegation of breach of conditions or flight risk, the continued incarceration of the Applicant solely for want of multiple sureties is neither procedurally necessary nor constitutionally tenable.

13. This Court is also mindful of recent judicial observations made by the Hon’ble Supreme Court in comparable contexts, particularly in Girish Gandhi v. State of Uttar Pradesh, (2024 INSC 617), where, in view of multiple prosecutions and the impossibility of furnishing distinct sureties in each case, the Hon’ble Apex Court permitted the accused to execute one personal bond and two common sureties per State, holding such a direction to be legally permissible, proportionate, and consistent with the mandate of Article 21 of the Constitution.

14. It has also been judicially recognised that when the substratum of allegations is common, the imposition of repetitive surety conditions may, in effect, operate as a denial of bail in substance, even where it has been formally granted.

15. In the present case, the multiplicity of FIRs appears to have created a procedural bottleneck, and not one rooted in any substantive apprehension of the Applicant's conduct.

16. In the interest of justice, to prevent undue hardship to the Applicant, and to secure his right to liberty, this Court deems it appropriate to allow this application.

17. The apprehension of abscondence raised by the State can be sufficiently addressed by imposing suitable conditions.

18. In view of the foregoing discussion, the present application is allowed, subject to the following conditions:

> i. The Applicant, Kuldeep Nandrajog, shall furnish his current permanent address, along with valid proof thereof, to the satisfaction of the learned trial court and the investigating agency. He shall not change his residence without prior intimation to the trial court concerned.
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> ii. The Applicant shall deposit his passport, if any, with the trial

court within one week of his release. He shall not apply for the issuance of a fresh passport or any travel documents without prior permission of the trial court concerned.

iii. The learned courts below are directed to accept common sureties for the release of the Applicant in all the cases mentioned in the annexed list, wherein he has already been granted bail.

iv. The Applicant shall also provide a written undertaking to the effect that:

v. He shall remain present before the Investigating Officer and the concerned courts as and when required;

vi. He shall not tamper with evidence or threaten or influence any witness;

vii. He shall not leave the country without prior leave of the competent court.

viii. The Superintendent, District Jail, Haridwar, shall take all necessary steps for the Applicant's release upon acceptance of the consolidated bond and sureties, unless his custody is required in any other unconnected matter.

ix. It is clarified that this direction is being issued as a matter of legal and procedural economy, considering the large number of FIRs arising from similar allegations, and shall not be treated as a precedent in any unrelated proceedings.

19. Let a copy of this order be circulated to the District Judge, Haridwar, and to all concerned Judicial Magistrates and courts for immediate compliance.

20. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
18.11.2025

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