

HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No.1162 of 2023

Pawanpreet Singh and othersApplicants

Versus

State of Uttarakhand & anotherRespondents

Present:-

Mr. Dharmendra Barthwal, Advocate for the applicants.

Mr. Siddhartha Bisht, AGA for the State.

Mr. Kartikey Maulekhi, Advocate for the informant.

Hon'ble Ravindra Maithani, J. (Oral)

Applicants seek anticipatory bail in FIR No.0519 of 2023, under Sections 420 & 506 IPC, Police Station Ramnagar, District Nainital.

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

3. According to the FIR, the applicants purchased a property based on some forged documents. The mutation proceedings are pending.

4. Learned counsel for the applicants would submit that, in fact, the applicants are victims; the applicants have already lodged an FIR against the informant and also filed a civil suit. As a counterblast to this, instant FIR has been filed.

5. Learned counsel for the informant would submit that, in fact, the vendor had no land left for sale

and under the garb of alleged sale deed, the applicants shall prime to enforce the land of the informant.

6. Learned State Counsel would submit that there is no active role of the applicant.

7. Having considered the entirety of facts, this Court is of the view that it is a fit case for anticipatory bail. The instant anticipatory bail application deserves to be allowed.

8. The anticipatory bail application is allowed.

9. In the eventuality of arrest, the applicants shall be enlarged on bail subject to their furnishing personal bonds with two sureties, each in the like amount, by each one of them, to the satisfaction of the Arresting Officer ("AO"). In addition to it, the applicants shall also comply with the following conditions:

- (i) The applicants shall co-operate with the investigation.
- (ii) They shall not approach any witness in any manner, whatsoever.
- (iii) They shall not leave the country without prior permission of the concerned court.
- (iv) The applicants shall deposit their passports with the AO. The passports may only be returned by the order of the court

concerned. In case, the applicants do not have passport, they shall give an undertaking to that effect to the AO.

- (v) The applicants shall also give an undertaking on (i), (ii) & (iii) above.

(Ravindra Maithani, J)

02.01.2025