In the Court of Sessions Judge, Shamli.
Presiding Officer- Inder Preet Singh Josh, (Higher Judicial Service)
(J.O. Code- UP1894)

Anticipatory Bail Application No.**274/2026**

Kumresh Jain s/o Chetan Lal Jain, Residence- House No. 159/1, South Bhopa Road, P.S. Nai Mandi, Dist. Muzaffarnagar. …….Accused/applicant .

Versus

State of U.P. ....Opposite Party.

Case Crime No.21/2024
U/s 419,420,467,468,471 IPC
P.S. AadarshMandi, **District** Shamli

&

Anticipatory Bail Application No.**273/2026**

Abhishek Jain s/o Kumresh Jain, Residence- House No. 159/1, South Bhopa Road, P.S. Nai Mandi, Dist. Muzaffarnagar. …….Accused/applicant .

Versus

State of U.P. ....Opposite Party.

Case Crime No.21/2024
U/s 419,420,467,468,471 IPC
P.S. AadarshMandi, **District** Shamli

Present **Shri Ishpal Singh, Advocate-** Counsel for applicants
Present **Shri Sushil Kumar Singh, Advocate**- Counsel for complainant
Present **Shri Sanjay Chauhan, D.G.C.(Criminal)-** State of U.P.

Dated:06.05.2026

This anticipatory bail application has been filed by the applicants /accused **Kumresh Jain & Abhishek Jain** in connection with Case Crime No. 21/2024, under Sections 419, 420, 467, 468, 471 IPC, P.S. AadarshMandi, District Shamli. They have submitted that no other bail application is currently pending before Sessions Court or the Hon'ble High Court. As the anticipatory bail application pertains to the same crime number, these are being decided vide this common order.

In brief, the case of the prosecution is that the company of the complainant, Maruti Papers Pvt. Ltd. is engaged in the manufacturing of kraft paper. Their dealer, Hotspot Infodot Pvt. Ltd., S-64, Basement, Greater Kailash, New Delhi-110048, placed order of the goods to be supplied to from them, to which the complainant supplied 2,49,500 kilograms of kraft paper. The complainant supplied these goods to the accused person Abhishek Jain, proprietor of Swastik Papers, Plot No. 871A, Khasra No. 76/12, Teerthankar Nagar, Jain Nagar, Delhi. However, later on, upon verification at the address provided by Abhishek Jain, it was found to be a residential house with no such firm was operating there. In the meanwhile Kumresh Jain & Abhishek Jain approached the complainant and submitted a document dated 21.03.2023 allegedly made by

INDERPREET JOSH Digitally signed by INDERPREET JOSH Date: 2026.05.11 08:26:02 +01'00'

Messrs.Hotspot Infodot Pvt. Ltd claiming that the good were to be dispatched at JP Enterprises, B-5, Sector-2, Bawana Industrial Area, Delhi-110039. Further the goods were delivered at JP Enterprises, B-5, Sector-2, Bawana Industrial Area, Delhi-110039. and no payment was received. When the complainant made an enquiry from their dealer Messrs.Hotspot Infodot Pvt. Ltd. The dealer stated that they had not issued the letter for change of address and the said document was forged and fabricated. The aforesaid letter/document fabricated by Kumresh Jain by forgery, enabling the wrongful sale/diversion of our goods elsewhere, resulting in non-receipt of payment and a loss of approximately Rs. 81 lakhs to us.

Consequently, a case was registered at Police Station AadarshMandi against the aforementioned accused persons Kumresh Jain, Abhishek Jain & Jagdish Kumar Adlakh under Sections 419, 420, 467, 468, 471 IPC. After conducting the investigation, based on the evidence, a charge sheet under Sections 419, 420, 467, 468,471 IPC has been filed against the applicants / accused in the court.

The learned Counsel for the applicants /accused has submitted that the applicants /accused have been falsely implicated in the present case. The applicants /accused have no motive to commit the alleged offence. The First Information Report (FIR) was lodged with delay, and no explanation for the delay has been provided. There is no independent witness to the alleged incident. The applicants /accused have never had any business dealings with Maruti Paper Mill, nor is there any outstanding dues payable by the applicants /accused to them. The applicants/accused purchased goods worth Rs. 81,51,021/- from Hotspot Infodot Pvt. Ltd. and forwarded them further. They issued cheques to Hotspot Infodot, which were dishonoured due to insufficient funds upon subsequent non-receipt of payments. Consequently, Hotspot Infodot filed three complaints Complaint No. 9486/2023 for Rs. 10,00,000/-, Complaint No. 9128/2023 for Rs. 75,00,000/- & Complaint No. 9131/2023 for Rs. 4,00,000/- under Section 138 of the Negotiable Instruments Act against the co-accused son, Abhishek Jain, which are currently pending in the Saket District Court. All allegations against the applicants /accused are false and fabricated. The applicants/accused shall not flee the country nor misuse the bail. The applicants /accused have no prior criminal history and convictions.

Before the aforesaid anticipatory bail applications could be heard on merits, both the parties had sought mediation so that out of court settlement could be worked out, but, there was failure of mediation.

The Learned DGC and the learned private counsel has opposed the bail application and stated that the accused is involved in the present case. The learned private counsel drew my attention toward the following facts mentioned below.

Heard learned counsel for the parties and perused the records of the case.

From a perusal of the documents on record, it is revealed here when the First Information Report was registered, the applicant/accused approached the Hon’ble High Court of Judicature at Allahabad in Criminal Misc. Writ Petition No. 19973 of 2025, wherein the Hon’ble High Court vide order dated 16.09.2025 directed the investigating officer of the present case to conclude the investigation within a period of 60 days and stayed the arrest of the accused persons till the cognizance is taken by the concerned court. Thereafter a charge sheet was filed under Section 419, 420, 467, 468,471 IPC and the learned trial court of Civil Judge (Senior Division), Kairana took the cognizance of the aforesaid case on 08.01.2026 and summoned the accused.

It is worthwhile to mention that while the Hon’ble High Court had stayed the arrest of the accused persons, at that point of time, the investigation was at preliminary stage and no evidence had been collected which were placed before the Hon’ble High Court. The Hon’ble High Court passed the said order on 16.09.2025 while the charge-sheet of the case was filed on 09.11.2025

While going through the charge-sheet it is revealed that the FSL report dated 03.07.2025 clearly states that the signature on letter dated 21.03.2023 for change of delivery address given to the complainant on behalf of Messrs. Hotspot Infodot Pvt. Ltd do not match with the sample signatures of the director of Hotspot Infodot Pvt. Ltd. Pooja Bansal. This letter with forged signature has been allegedly issued by the accused persons to the complainant.

It is further revealed that the registered address of the firm of the accused persons and the requested address of delivery was Swastik Papers, Plot No. 871A, Khasra No. 76/12, Teerthankar Nagar, Jain Nagar, Delhi, this is the same address where the GST No. of the firm of the accused persons Messrs Swastik Papers was registered. It is further revealed that the aforesaid address is a residential address and there was no godown of any kind on that address. Another documentary evidence on record is the bank account of the firm of the accused persons, which is in Bandhan Bank and mentions the address of the firm as Swastik Papers, Plot No. 871A, Khasra No. 76/12, Teerthankar Nagar, Jain Nagar, Delhi.

While going through the case file, according to G.D. No. 35, the address of the accused persons which is mentioned in the papers was visited by Constable 1179 Hareesh Kumar and the photographs of the said address primarily show it to be a residential house having the name plate of one Rakhi Verma.

After going through the aforesaid facts, Prima Facie, it is revealed that the accused persons have received the goods (paper) from the complainant by forging signatures of the intermediary firm Messrs. Hotspot Infodot Pvt. Ltd. The payment of the received goods (paper) was not made to the complainant or to their intermediary firm Messrs. Hotspot Infodot Pvt. Ltd. Cheques issued to the intermediary firm Messrs. Hotspot Infodot Pvt. Ltd were bounced, the goods (paper) were sold at other places and the amount was siphoned of. Apparently, this seems to be a practice of cheating the complainant and the GST department (even though this aspect has not been investigated by the Invesgating Offficer, this issue shall remain open before the Trial Court) by giving forged documents. Prima Facie it seems to be a serious case of fraud of Rs. 81 Lakhs affecting the commercial system and even the tax authorities.

That, considering the facts and circumstances of this case, and the gravity of the offense, without expressing any opinion on the merits of this case, this court does not find sufficient grounds to grant anticipatory bail to the applicants/accused. All the discussions made herein above are for the purpose of disposal of this bail application and shall have no bearing on the merits of this case.

In the aforesaid facts and circumstances, no case is made out for grant of anticipatory bail, hence this application of applicants/accused is hereby liable to be rejected.

ORDER

Anticipatory Bail Application of accused/applicants **Kumresh Jain & Abhishek Jain** is, hereby, dismissed.

A copy of this order shall be placed on the file relating to Bail Application No. 273/2026.

Dated: 06.05.2026

(Inder Preet Singh Josh),
Sessions Judge,
Shamli.