



2026:UHC:3457

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><b><u>ABA/140/2026</u></b></p> <p><b><u>Hon'ble Rakesh Thapliyal, J.</u></b></p> <ol style="list-style-type: none"><li>1. Mr. Saurabh Kumar Pandey, learned counsel for the applicant.</li><li>2. Mr. Tumul Nainwal, learned A.G.A. with Ms. Sweta Dobhal, learned Brief Holder for the State.</li><li>3. Present applicant Mohd. Mateen, S/o Mohd. Yaseen, R/o MGM Road, Janak Nagar, Khan Alampura Saharanpur, U.P. is praying for anticipatory bail in reference to FIR dated 21.11.2024, bearing FIR No. 0256 of 2024 registered at P.S. Rajpur District Dehradun wherein he along with eight more persons, namely, Sherkhan, S/o Liyakat Khan, R/o Saharanpur, U.P., Salman S/o Aslam, R/o Dehradun, Imtiyaz, S/o Late Nawab, R/o Dehradun, Akbar, S/o Abdul Wahim, R/o Saharanpur, Abdul Mateen, S/o Yasin, R/o Saharnpur, Sonu Muchh, R/o Dehradun and Haji Ashraf Ali, S/o Late Shahadat Ali, R/o Saharanpur have been implicate for the offence punishable under Section 62 read with Section 329(4) of BNS 2023.</li><li>4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated as no specific role has been assigned to him and even as per the prosecution, the applicant is only the witness of the alleged power of attorney. He submits that the applicant is not the beneficiary of the alleged power of attorney nor he has made any attempt to grab the property and on the basis of alleged power of attorney dated 18.09.2023 sale deed was executed in favour of one Haji Ashraf R/o Saharanpur who is also named in the FIR. He further submits that the allegations, as alleged, are of civil nature and the co-accused persons having identical role have been granted anticipatory bail by the Coordinate Bench and some of them were granted interim protection</li></ol>



and the applicant is seeking benefit of parity. Learned counsel for the applicant submits that the applicant moved anticipatory bail before the learned Sessions Judge and the same was rejected on 01.04.2026. He submits that the applicant is ready to undertake that he will cooperate with the investigation and will not temper with the evidence and influence the investigation.

5. The allegation as alleged in the FIR is with regard to the preparation of three forged power of attorneys of a lady, namely, Smt. Ritu who is living in U.S.A. and she has a bungalow at Dehradun and caretaker of which is the respondent/complainant. It is alleged that forged power of attorney is prepared in order to grab the property, owned by Smt. Ritu.

6. I have gone through with the orders passed by the Coordinate Bench granting anticipatory bail to the other co-accused, however, neither there is any deliberation nor discussion, and, after gone through with the orders passed by the Coordinate Bench, this Court granted time to the learned State Counsel to get complete instructions in the matter and also to get status of another Case Crime No. 331 of 2024 lodged at Saharnpur. In addition to this, the State Counsel was directed to bring all the power of attorneys regarding which FIR has been lodged, including the history of the present applicant Mohd. Mateen.

7. In compliance of the order of this Court, three power of attorneys are placed before this Court. Mr. Tumul Nainwal, learned A.G.A. with Ms. Sweta Dobhal, learned Brief Holder apprise to this Court that prima facie all these power of attorneys appears to be forged one, since, the lady who is living in U.S.A. and owner of Bungalow at Dehradun was impersonated by two different ladies and in the second power of attorney, the present applicant is the witness who identify the persons. All the power of attorneys now placed on record.

8. Mr. Nainwal, learned A.G.A. submits that as per the instructions, in fact, the present applicant is the main conspirator in preparing all



forged power of attorneys. He also submits that not only this the present applicant deliberately suppressed in the instant ABA about the criminal antecedent particularly one case which was registered at Saharanpur bearing Case Crime No. 0331 of 2021 registered on 09.11.2024 which is much prior to the date of the FIR. He submits that since present applicant have not approached with clean hands and deliberately suppressed about the criminal antecedent, and, furthermore, the present applicant is the main conspirator in preparing all those forged power of attorneys, therefore, he does not deserve for anticipatory bail.

9. I found force and substance on the arguments of the learned counsel for the State that the present applicant does not deserve for anticipatory bail on two accounts: firstly he has not come up with the clean hands and deliberately suppressed about the criminal antecedent and the second one is that those power of attorneys are not placed on record and the State counsel produced on record the power of attorneys, and after gone through with the power of attorneys this court is of the view that the present applicant is the main conspirator. So far as parity of other accused are concerned, since, the present applicant is praying parity of other co-accused who have been granted anticipatory bail by the Coordinate Bench, after perusing all the orders passed by the Coordinate Bench I am of the view that since there is no deliberation or discussion on the merit of the case, therefore, in my opinion the present applicant does not deserve for parity.

10. In such view of the matter, the instant anticipatory bail application is rejected.

11. No order as to costs

**(Rakesh Thapliyal, J.)**

**07.05.2026**

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