



HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 1538 of 2026**

Gaffar And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Shyam Surat Shukla, Vivek Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE JITENDRA KUMAR SINHA, J.

1. Heard Sri S.S. Shukla, learned counsel for the applicants and Sri B.P. Singh, learned A.G.A. for the State and perused the record.
2. The present application has been moved seeking anticipatory bail in Case Crime No. 70 of 2025, under Sections 318(4), 338, 336(3), 336(4), 340(2), 61(2) BNS, Police Station Mawana District Meerut with the prayer that in the event of arrest, applicants may be released on bail.
3. It is contended by the learned counsel for the applicants that co-accused Smt. Amleen, Smt. Chhoti and Smt. Shama Parveen have already been granted interim anticipatory bail by this Court vide order dated 13.2.2026 in Anticipatory Bail Application No. 1475 of 2026. It is further submitted that applicant No.1 is the marginal witness and applicants No. 2 & 3 are husbands of co-accused Smt. Chhoti and Smt. Shama Parveen, respectively and they are innocent. It is further submitted that wives of applicants No. 2 & 3, namely, Smt. Chhoti and Smt. Shama Parveen, are bona fide purchasers of the immovable property. It is further submitted that as per the allegations in the F.I.R., the wives of the applicants, namely, Smt. Amleen, Smt. Chhoti and Smt. Shama Parveen, are said to have purchased immovable property for a consideration of Rs. 19 lakh from one Harvindra Singh. It is alleged that Harvindra Singh has been impersonated and the real Harvindra Singh has not executed the said sale deed. It is further submitted that during investigation it has surfaced that the vendees have deposited Rs. 19 Lakh in the bank account of the vendor Harvindra Singh. A suit for cancellation of the sale deed has also been pending between the parties. The applicants undertake to co-operate during trial and he would appear as and

when required by the investigating agency or Court. It has been stated that in case, applicants are granted anticipatory bail, they shall not misuse the liberty of bail and will co-operate with the investigation and would obey all conditions of bail.

4. On the other hand, learned A.G.A. vehemently opposed the prayer for anticipatory bail and submitted that the applicants have not explained their entire criminal history.

5. The co-accused Smt. Amleen, Smt. Chhoti and Smt. Shama Parveen have already been granted interim anticipatory bail by this Court. Applicant No.1 is the marginal witness and applicants No. 2 & 3 are husbands of co-accused Smt. Chhoti and Smt. Shama Parveen, respectively and all the accused persons are said to have purchased an immovable property from one Harvindra Singh. However, the said Harvindra Singh has been impersonated and the real Harvindra Singh has not executed the sale deed.

6. It may be stated that in case of **Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694**, it has been held by Hon'ble Supreme Court that while deciding anticipatory bail, the Court must consider nature and gravity of accusation, antecedent of accused, possibility of accused to flee from justice and that Court must evaluate entire available material against the accused carefully and that the exact role of the accused has also to be taken into consideration.

7. Considering the above submissions of the learned counsel for the parties and without expressing any opinion on merits, the applicant- **Gaffar, Maruf** and **Abrar** involved in the aforesaid case crime be released on interim anticipatory bail on his furnishing a personal bond of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of the Court concerned till 27.3.2026 with the following conditions :-

(i) The applicants shall not tamper with evidence and that he would appear before the trial Court on the date fixed unless exempted by the Court concerned;

(ii) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her/them from disclosing such facts to the Court or to any police officer;

(iii) The applicants would cooperate during trial and would not misuse the liberty of interim anticipatory bail bail.

(iv) The applicants shall not leave India without prior permission of the Court concerned.

8. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of interim anticipatory bail granted to the applicants herein.

9. List this case as fresh on 27.3.2026 in top 20 cases.

10. By the next date of listing, learned counsel for the applicants shall file a supplementary affidavit, bringing on record the entire criminal history of the applicants.

March 16, 2026
Vandana

(Jitendra Kumar Sinha,J.)