(2025) 10 UH CK 0046

Uttarakhand HC

Case No: First Bail Application No. 1994 Of 2025

Kuldeep Nandrajog	APPELLANT
Vs	
State Of Uttarakhand	RESPONDENT

Date of Decision: Oct. 27, 2025

Acts Referred:

- Indian Penal Code, 1860 — Section 120B, 420
- Constitution Of India, 1950 — Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Sharang Dhulia, Pradeep Lohani

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. Applicant - Kuldeep Nandrajog is in judicial custody for the offence punishable under Section 420 and Section 120B of the Indian Penal Code, 1860 in Case Crime No.142 of 2024, registered at Police Station Bahadarabad, District Haridwar.

2. The informant Smt. Kamlesh Sharma lodged the First Information Report against the present applicant on 07.04.2024 alleging that she had invested a sum of Rs.04,00,000/- for a plot measuring 100 yards in the project namely, â€œHar Har Gangeâ€■ with M/S Octagon Builders and Promoters Private Ltd. The builder has not yet handed over the plot to her. Now, he (builder) is allotting the undeveloped plot to her.

3. Heard Mr. Sharang Dhulia, learned counsel for the applicant and Mr. Pradeep Lohani, learned Brief Holder for respondent.

4. Mr. Sharang Dhulia, Advocate, contended that the applicant has been falsely implicated in the present matter. The informant was dealt with by Vibhu Vishwabandhu, the director of the company, and the entire responsibility of selling the plot was of Vibhu Vishwabandhu. Applicant had no connection with the sale of the plot to the informant. He had not cheated the informant. He had not received any amount from the informant. The company has gone under liquidation. The matter is pending before the Honâ€™ble High Court of Delhi. Applicant is in custody for a long period. The co-accused has been granted bail by the District and Sessions Judge, Haridwar. Applicant is a permanent resident of Delhi, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of

tampering with the evidence.

5. Mr. Pradeep Lohani, learned Brief Holder for respondent, has opposed the bail application orally.

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused person in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, no reason is found to keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.

9. Let the applicant- Kuldeep Nandrajog be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.