

(2025) 12 UK CK 0032

Uttarakhand HC

Case No: Second Anticipatory Bail Application No. 49 Of 2025

Madhu Kohli

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 16, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 120B, 406, 420
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Azmeen Wason, Tumul Nainwal

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The present Application for anticipatory bail has been filed in Case Crime No.392 of 2021, registered at Police Station Vikasnagar, District Dehradun under Sections 420, 406 and Section 120B of the Indian Penal Code, 1860.

2. The First Anticipatory Bail Application (No.82 of 2023) was dismissed as withdrawn on 15.10.2025 granting liberty to the applicant to file afresh.

3. According to the First Information Report dated 02.09.2021, the informant invested in the business run by the applicant and the co-accused on the assurance that she will pay high returns, but the informant was not paid the returns.

4. Heard Ms. Azmeen Wason, learned counsel for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

5. Learned counsel appearing for the applicant submitted that the applicant was not involved in the said offences. She left for Dubai in the year, 2018 and handed over her firm to the informant Praveen Singh Gusain. She travelled frequently between

India and Dubai. She was not aware that she would be falsely implicated in the matter. The informant in collusion with others has lodged the false FIR against the applicant. She has not been convicted by any court. The said offences are triable by Magistrate. She was granted interim bail on 13.11.2025, and, the conditions of interim bail have not been violated by her.

6. Mr. Tumul Nainwal, Assistant Government Advocate, has opposed the anticipatory bail application.

7. Personal liberty under Article 21 of the Constitution of India is very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

8. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on the merits of the case, the present Anticipatory Bail Application is allowed and the order dated 13.11.2025, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant Smt. Madhu Kohli, she shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, to the satisfaction of the Arresting Officer, subject to the following conditions:-

(i) Applicant shall cooperate with the Investigating Agency and she shall make herself available for interrogation by a police officer as and when required;

(ii) If the charge-sheet is filed, the applicant shall attend the trial court regularly and she shall not seek any unnecessary adjournment;

(iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case.

(iv) Applicant shall not leave the country without the previous permission of the trial court.

9. It is made clear that if the applicant misuses or violates any of the conditions, imposed upon her, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.