

(2025) 12 UK CK 0053

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1257 Of 2025

Yasmeen Khan And Another

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 17, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 420
- Uttarakhand Protection Of Interests of Depositors (In Financial Establishments) Act, 2005 - Section 3
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Pankaj Singh Chauhan, Deepak Bhardwaj

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. This Application has been filed by the applicants seeking anticipatory bail in Case Crime No.117 of 2024, registered at Police Station Pulbhatta, District Udham Singh Nagar under Section 420 of the Indian Penal Code, 1860 and Section 3 of the Uttarakhand Protection of Interests of Depositors (In Financial Establishments) Act, 2005.

2. The Anticipatory Bail Application (No.1286 of 2025) of the applicants has been rejected by the learned Sessions Judge, Udham Singh Nagar on 10.11.2025.

3. According to the respondent, the applicants and two others were directors of Real Reliable Agroland Company Limited. On 17.10.2013, Balram Yadav, Baljit Singh and Vijay Sharma, the officers of the said Company, told the informant that if he invests in the said Company, his amount will be increased in six years. The informant had purchased several policies, but his money was not refunded. The First Information

Report has been registered on 29.06.2024 against the applicants and five other co-accused.

4. Heard Mr. Pankaj Singh Chauhan, learned counsel for the applicants and Mr. Deepak Bhardwaj, learned Brief Holder for the respondent.

5. Mr. Pankaj Singh Chauhan, Advocate, contended that the allegations of the First Information Report against the applicants are false. The applicants resigned from the said Company on 11.02.2016 (Annexure No.2) and their resignations were accepted in the meeting dated 23.02.2016 of the Board of Real Reliable Agroland Company Limited. Applicants have not been convicted by any Court. Applicant no.1 is a permanent resident of District Moradabad, Uttar Pradesh and the applicant no.2 is a permanent resident of District Sambhal, Uttar Pradesh, therefore, there is no possibility of their absconding. They were not arrested during the investigation. All the relevant documents were taken by the Investigating Officer. Now, charge-sheet has been filed, therefore, there is no chance of tampering with the evidence.

6. Mr. Deepak Bhardwaj, learned Brief Holder, has opposed the anticipatory bail application orally.

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 Application, filed for anticipatory bail, is allowed. It is directed that in the event of the arrest of the applicants Smt. Yasmeen Khan and Irshad Ahmad, they shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, by each one of them, to the satisfaction of the Investigating Officer/ Arresting Officer, subject to the following conditions:-

(i) Applicants shall attend the trial court regularly and they shall not seek any unnecessary adjournment;

(ii) Applicants shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

(iii) Applicants shall not leave the country without the previous permission of the trial court.

9. It is made clear that if the applicants misuse or violate any of the conditions, imposed upon them, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.