
(2025) 12 UK CK 1332

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1118 Of 2024

Dharmendra Kumar Agarwal

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 29, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 406, 420, 504, 506
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Sanjay Kumar, Chitrarth Kandpal

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. This Application has been filed for anticipatory bail in Case Crime No.162 of 2024, registered at Police Station Bajpur, District Udham Singh Nagar.
2. Charge-sheet has been filed against the applicant for the offence punishable under Sections 406, 420, 504 and Section 506 of the Indian Penal Code, 1860.
3. Heard Mr. Sanjay Kumar, learned counsel for the applicant and Mr. Chitrarth Kandpal, learned Brief Holder for the respondent.
4. Mr. Sanjay Kumar, Advocate, contended that as per the First Information Report, the applicant had taken money from the informant and the said money was not returned by him to the informant. The said allegations are totally false. Applicant had not taken any money from the informant. It is a case of money transaction. It is a civil dispute. The arrest of the applicant was stayed by this Court during the investigation. Now, charge-sheet has been filed, therefore, there is no chance of tampering with the evidence. Applicant has no criminal antecedents. Applicant, aged about 59 years, is a permanent resident of District Nainital, therefore, there is no

possibility of his absconding, and, he was granted interim bail on 12.11.2024, and, the conditions of the interim bail have not been violated by him.

5. Mr. Chitrarth Kandpal, Brief Holder, has opposed the anticipatory bail application.

6. 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.

7. 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 12.11.2024, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant Dharmendra Kumar Agarwal, he 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 attend the trial court regularly and he shall not seek any unnecessary adjournment;

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

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

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