



2026:AHC-LKO:19936

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW
CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2127 of 2025**

Ateequl Rahman

.....Applicant(s)

Versus

State Of U.P. Thru. Secy. Home And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	: Ripu Daman Shahi, Mahendra Pal Chauhan, Neeraj Tewari, Sumit Kumar
Counsel for Opposite Party(s)	: G.A., Ajay Shukla, Rohit Tripathi

Court No. - 13

HON'BLE SAURABH LAVANIA, J.

1. Case called out. No one appeared on behalf of the private opposite party No. 4 despite service of notice, as appears from the order sheet. Learned AGA is present in the Court. In these circumstances and also taking note of the order of this Court dated 13.03.2026, which says "*It is made clear that on the next date of listing, the case would not be adjourned on any ground including the illness and an appropriate order would be passed on first call including an order adversarial to the opposite party No. 4*", the Court proceeded in the matter.

2. Heard the learned counsel for the applicant and the learned AGA for the State of U.P., who has filed counter affidavit in the Court today and the same is taken on record, as well as perused the material placed on record.

3. The present anticipatory application is filed by the applicant involved in the Case Crime No.305 of 2025, under Sections- 64(2)(M), 69, 61(2), 308(2) B.N.S., 2023 and Section 3/5 of U.P. Prohibition of Unlawful Conversion of Religion Act, 2021, Police Station- Wazeerganj, District- Lucknow.

4. Vide order dated 24.10.2025, this Court had protected the interest of the applicant. The order dated 24.10.2025, referred, reads as under:-

"1. Heard Sri R.D. Shahi, learned counsel for the applicant and learned A.G.A. for the State.

2. The present anticipatory application is filed by the applicant involved in the Case Crime No.305 of 2025 under Sections 64(2)(M), 69, 61(2), 308(2) B.N.S., 2023 and Section 3/5 of U.P. Prohibition of Unlawful Conversion of Religion Act, 2021, Police Station - Wazeerganj, District Lucknow.

3. It is an admitted case of the victim that she is a practicing lawyer, aged about 27 years and was in love with the applicant, who was junior advocate of an Advocate, under whom, she was also working. The allegations made in the F.I.R are that the applicant, on the promise of marriage, had made physical relations with the victim on the 8th floor of a multistory building, and when she requested for marriage, applicant denied for the same and told her that while they were making relation, the videos and photographs had been captured. It is further alleged therein that the applicant, while showing the said videos and

photos, made physical relations against her wishes. She was also threatened by the applicant that she has to come as and when the applicant calls her and also to follow his instructions. It is also alleged in the F.I.R. that she stopped going to the court since June, 2024. Thereafter, applicant also harassed her by making repeated phone calls, but when she refused to meet the applicant, he demanded Rs. 5,00,000/-. In the F.I.R., it is also alleged that on 6.2.2025, marriage of the victim was solemnized and she went to her in-laws' house, but thereafter also, the applicant visited her and insisted for meeting for the sake of their old relationship.

Further allegation made in the F.I.R. is that during her marriage, she needed some money, therefore, she requested the applicant to facilitate her for sale of a plot and ensured that she would pay Rs. 5,00,000/- for returning the intimate videos and photographs and by selling the plot, the victim received Rs. 10,00,000/-, out of which, Rs. 5,00,000/- was given to the applicant. The applicant told the victim that after finalizing the sale transaction, he would hand over the said photographs as well as video to her. It is also alleged in the F.I.R. that since the applicant was the facilitator in the selling of the said plot, which was being purchased by one Amit Rastogi, he paid Rs. 10,00,000/- to the applicant, but the said money was not given by the applicant to the victim and threatened her that he will not leave the victim easily and also told that her photograph as well as video would be aired. Due to the said reason, the victim denied for the sale, on which, the applicant threatened that he will take Rs. 90,00,000/- and also insisted for marriage as well as conversion of religion.

4. Learned counsel for the applicant submits that the F.I.R. in question was lodged on 15.11.2025, however, the date of the alleged incident of forceful physical relations is not mentioned in the F.I.R. Thereafter, sketchy investigation was conducted by the investigating officer. The applicant also filed a writ petition for quashing of the F.I.R., i.e., Criminal Misc. Writ Petition No. 11196 of 2025, Ateekul Rahman vs. State of Uttar Pradesh and Ors., which was dismissed as withdrawn vide order dated 26.11.2025 with liberty to take appropriate remedy. Thereafter, applicant applied for anticipatory bail before the Sessions Court on 12.3.2025, which was rejected on 19.12.2025 with the observation that one N.C.R. was also lodged with the allegations that 14 days have already passed from the date of lodging of F.I.R., but the accused persons have not been arrested and accused were trying to put pressure on the father-in-law of the victim for compromise and it was also requested that necessary action may be taken for arresting the accused persons.

5. Learned counsel for the applicant further submits that N.C.R. No. 110 of 2025 under Sections 351(2) of B.N.S., Police Station Wazeerganj, Lucknow was registered on 29.11.2025, reveals that the intention of the victim is to ensure the arrest of the applicant and not for the fair investigation. He also submits that the applicant admittedly filed the petition for quashing of the FIR, but thereafter, it was withdrawn with the liberty to take appropriate remedy and to file application for anticipatory bail. Submission of learned counsel for the applicant is that applicant is a practicing advocate and earlier also, due to some quarrel in between neighbors, cross cases were lodged, in which, charge sheet was submitted against the applicant and other family members under sections 323, 504, and 506 IPC.

6. Learned counsel for the applicant relies on the decision of the Hon'ble Supreme Court in the case of Mohammad Wajid Vs. State of UP (Criminal Appeal No. 2340 of 2023) and submits that no date and time of the incident is explained in the prosecution case and, therefore, in absence of all such material, merely on the basis of vague and general allegations, he cannot be put on trial. Reliance has also been placed on the decision of Samadhan s/o Sitaram Manmothe Vs. State of Maharashtra (Criminal Appeal No. 5001 of 2025) and submits that mere breakup of the relationship between the consenting couple cannot result in the initiation of a criminal proceeding. It is vehemently submitted that in the present case, it is admitted case of the prosecution that the applicant and victim were junior lawyers and at the initial stage, they were in love. It is lastly submitted that the applicant is a law-abiding citizen and is ready to cooperate in the investigation, therefore, he may be enlarged on anticipatory bail..

7. Learned A.G.A. opposes the prayer of the applicant and submits that the applicant is not cooperating in the investigation. He further submits that an N.B.W. as well as proceedings under Section 84 of B.N.S.S. have already been issued by the court concerned and, therefore, no interference is required at this stage.

8. Learned A.G.A. also places the case diary before this Court, which reveals that investigation of the case in question is being conducted by Mr. Satish Chandra Mishra, Senior Inspector of P.S. Wazeerganj, Lucknow, in which, C.D. No.1 was prepared on 16.11.2025 by keeping the chick F.I.R. as well as the G.D. The statement of the victim is also recorded under Section 180 of B.N.S.S., in which, she reiterated the story mentioned in the F.I.R. Thereafter, on her pointing out, site plan was prepared by the Investigating Officer and stated that the incident was firstly taken place in court Room No. 816 of the 8th Floor of the court building, however, the date of the incident was not reported. The Investigating Officer also observed in the aforesaid Parcha, that the victim was brought to the hospital on 16/11/2025 at 7:00 p.m., but she denied her internal medico-legal examination. Thereafter, her statement under section 183 C.R.P.C. was recorded on 17/11/2025, which is mentioned in C.D. 2. Thereafter, C.D. 3 was prepared, in which, it is again observed that the victim denied her medico-legal examination. C.D. 4, which was prepared on 20/11/2025, vague observations were made that the Investigating Officer conducted a search on the suspecting places without mentioning the place as well as the person with whom he met during the search. Parcha Nos. 5, 6, 7, 8, and 9 were also prepared in identical manner. Thereafter, Parcha number 10 was prepared on 25/11/2025 mentioning that the applicant is not cooperating in the investigation and, therefore, a request was made before the court concerned for issuing a non-bailable warrant. Parcha 11 was also prepared on 30/11/2025 in a stereo type manner without mentioning the search place and the person to whom he met there. C.D. 12 dated 6/12/2025, C.D. 13 dated 7/12/2025, C.D. 14 dated 10/12/2025, C.D. 15 dated 14/12/25 and in C.D. 16, the Investigating Officer observed that on the basis of input that the applicant is trying to dispose of his property, however, the details of the persons, from whom, such information was gathered, has not been mentioned. In Parcha 17 dated 19/12/2025, it is mentioned that an order under section 84 of B.N.S.S. was passed by the Magistrate and in

Parcha 18, which was prepared on 20/12/2025, it is mentioned that a notice has been pasted on the notice board of the court by mentioning the name of the applicant as absconder. Learned A.G.A. also submits that the applicant is not cooperating in the investigation, therefore is not entitled to anticipatory bail.

9. Considering the submissions of learned counsel for the parties as well as the case diary discussed above, as the FIR was filed on 15.11.2025 and admittedly, she was being victimized by the applicant by making calls since June, 2024, however, the call details were not provided. Evidently, the Investigating Officer failed to collect the call details from the service provider.

The case diary reveals that the investigating officer conducted the investigation in a most sketchy manner without mentioning the details of the search and the persons he met during the course of investigation. It is also admitted case that the victim denied for her medico legal examination, and nowhere, the date, time or the place of incident is mentioned as reported in the second part of the FIR. It is also alleged in the F.I.R. that there is some financial dispute in between the parties. The record also reveals that after marriage, the victim was in conversation with the applicant and requested for facilitation to sell her plot.

10. In view of above facts and discussions, since the offense is non-cognizable, there is no necessity of obtaining a warrant. The case diary also reveals that only a vague exercise has been done by the Investigating Officer. In such circumstances, this Court is of the view that the applicant is entitled to anticipatory interim anticipatory bail.

11. List this case on January 29, 2026.

12. Till the next date of listing, in the event of arrest of the applicant, namely, Ateequl Rahman in the aforesaid case, he shall be released forthwith by the court concerned, on his furnishing personal bond of Rs.50,000/- with the following condition:-

(i) That the accused-applicant shall make themselves available for interrogation by police authorities as and when required and will cooperate with the investigation;

(ii) That the accused-applicant 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 from disclosing such facts to the court or to any police officer; and

(iii) That the accused-applicant shall not leave India without the previous permission of the Court.

13. The applicant undertakes that he will cooperate and appear before the investigating officer, therefore, he is directed to appear before the investigating officer on December 29, 2025, at 11:30 AM.

14. The S.H.O. of Police Station - Wazeerganj, Lucknow shall also inform the victim of the case in question about the pendency of the case who shall file a counter affidavit along with the receipt.

15. Photocopy of the case diary produced by the learned A.G.A.

is returned to him."

5. The learned counsel appearing for the prosecution could not demonstrate from the record that there is any adversarial fact which are pleaded in the bail application. This Court finds that the applicant was enlarged on anticipatory bail after considering the merits of the case. The learned counsel for the prosecution also could not point out any fact based upon which it can be inferred that the applicant has not cooperated with the investigation proceedings or otherwise any glaring fact which can adversely affect the merit of the case.

6. In view of the aforesaid, the present anticipatory bail application is hereby **allowed** while extending anticipatory bail to the applicant- **Ateequl Rahman** till disposal of the trial subject to the following conditions:-

(i) that the applicant shall make himself available for interrogation by a police officer as and when required;

(ii) that the applicant 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(iii) that the applicant shall not leave India without the previous permission of the court;

(iv) that the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted; and

(v) that the applicant shall not pressurize/intimidate the prosecution witness.

7. In case of default, it would be open for the Investigating Agency to move application for vacation of this order.

March 18, 2026

Arun/-

(Saurabh Lavania,J.)