



2026:AHC-LKO:19730

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

**CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C.
No. - 1129 of 2022**

Adeeba Khan Parveen

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home And Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Shyamendra Singh, Meena Singh
(Kathayat), Tej Singh
Counsel for Opposite Party(s) : G.A., Mohd Shadab Khan

Court No. - 23

HON'BLE RAJEEV BHARTI, J.

Case is called out in the revised list. No one is present on behalf of applicant to press the instant anticipatory bail application. Learned A.G.A. is present for the State.

The present anticipatory bail application has been filed on behalf of the applicant in F.I.R. No. 139 of 2022, under Sections 328, 384, 420, 506 Indian Penal Code, Police Station Thakurganj, District Lucknow, with a prayer to enlarge him on anticipatory bail.

The Co-ordinate Bench of this Court vide order dated 15.07.2022 has passed the following order granting interim anticipatory bail to the applicant:-

"Heard Ms. Meena Singh (Kathayat), learned counsel for the applicant, Sri Vinay Kumar Shahi, learned A.G.A. for the State and Sri Mohammad Shadab Khan, learned counsel for the first informant, as well as perused the record.

The present anticipatory bail application has been filed on behalf of the applicant in F.I.R. No. 139 of 2022, under Sections 328, 384, 420, 506 Indian Penal Code, Police Station Thakurganj, District Lucknow, with a prayer to enlarge him on anticipatory bail.

As per prosecution story, the complainant got a call about 10-11 months before lodging of the FIR from mobile no. 7054578830 and the applicant has started calling the first informant on a regular basis and is said to have lured him to meet at her home in Hussainabad. The said incident is said to have occurred about 7-8 months before the FIR. When the first informant reached her house, the applicant is said to have spiked his drink making him unconscious and is said to have prepared a vulgar video of him. Another co-accused person, Mohd. Amir @ Commando is said to have shown him the video and started extorting money from the first informant and is said to have taken away Rs. 50,000/- twice from the first informant and further demanded Rs. 2 lakhs lest an FIR shall be lodged against him.

Learned counsel for the applicant has argued that the applicant is absolutely innocent and has been falsely implicated in the present case with a view to cause unnecessary harassment and to victimize her. Learned counsel has stated that the said FIR is a counterblast to the FIR No. 527 of 2021, which was lodged by the applicant on 28.8.2021 against the first informant under the provisions of POCSO Act. Learned counsel has further stated that charge sheet has been filed against the applicant and the present FIR is a counterblast to the said FIR filed by the applicant. The applicant is not a previous convict, although there is an FIR filed against him. Learned counsel undertakes that applicant will cooperate in the investigation failing which the State can move appropriate application for vacation of the interim protection.

Learned A.G.A. and learned counsel for the first informant have opposed the prayer for grant of anticipatory bail and have stated that applicant is a woman of bad virtues and she is used to extorting money from various persons. There is another FIR on record filed against the applicant.

Matter requires consideration.

Three weeks' time is granted to learned A.G.A. and learned counsel for the first informant to file counter affidavit.

One week's time, thereafter, is granted to learned counsel for the applicant for filing rejoinder affidavit.

On due consideration to the arguments advance by learned counsel for the applicant as well as learned A.G.A. and considering the nature of accusations and antecedents of the applicant, the applicant, as an interim measure, is liable

to be enlarged on anticipatory bail in view of the Constitution Bench judgment of Supreme Court in the case of "Sushila Aggarwal Vs. State (NCT of Delhi)-2020 SCC online SC 98". The future contingencies regarding the anticipatory bail being granted to applicant shall also be taken care of as per the aforesaid judgment of the Apex Court.

In the event of arrest, the accused-applicant Adeeba Khan Parveen shall be released forthwith in the aforesaid case crime (supra) on interim anticipatory bail on furnishing a personal bond of Rs. 50,000/- and two sureties each in the like amount to the satisfaction of the arresting officer/investigating officer/S.H.O./court concerned on the following conditions:-

(i) the applicant shall make herself available for interrogation as and when required;

(ii) 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 her from disclosing such facts to the Court or to any police officer; and

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

List on 8th September, 2022 in the additional cause list. "

Learned counsel for the applicant submits that the applicant has been released on interim anticipatory bail after filing of the personal bonds and two sureties in compliance of the aforesaid order. She has duly cooperated in the investigation. She has not misused the liberty of interim anticipatory bail granted by the Court. She undertakes to cooperate in the trial and in case, she is enlarged on anticipatory bail, she shall not misuse the liberty of same.

Learned A.G.A. opposed the prayer for anticipatory bail but could not dispute the aforesaid facts as argued by the learned counsel for the applicant.

Without expressing any opinion on the merits of the case and considering the nature of accusation so also the fact that the

applicant has not misused the liberty of interim anticipatory bail granted by the Court coupled with the undertaking given by the applicant that she will cooperate in the trial, the interim protection granted by the coordinate bench of this Court vide order dated 15.07.2022 is made absolute in view of dictum of Apex Court in re: ***Sushila Aggarwal Vs. State (NCT of Delhi)-2020 SCC online SC 98.***

In view of the aforesaid, the anticipatory bail application is **allowed.**

(Rajeev Bharti,J.)

March 18, 2026

Arti/-