



2026:AHC:59214

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2750 of 2026**

Darshan Singh

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Ankit Tiwari, Sr. Advocate, Umesh
Chandra Shukla

Counsel for Opposite Party(s) : Aslam Ali, G.A., Kamal Kumar Singh

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Sri Amit Daga, Learned Senior Advocate, assisted by Sri Ankit Tiwari, Learned counsel for the applicant, Sri Kamal Kumar Singh, the Learned counsel for the informant, the Learned A.G.A. for the State and perused the material brought on the record.

2. This application has been filed by the applicant with a prayer to release him on anticipatory bail in Case Crime No.83 of 2025, under Sections 191(2), 191(3), 190, 103(1), 109(1), 61(2) B.N.S. 2023, Police Station- Hastinapur, District- Meerut.

3. The Learned counsel for the applicant has submitted that the applicant has been falsely implicated in the present case. The applicant though named in the First Information Report is a 69 years old man, who was not named by the injured in his first statement. Even in the second statement of the injured, the name of the applicant did not find mention. It is about four months after the incident, in the third statement dated 5.8.2025, the name of the applicant has been introduced by the injured. The 183 BNSS statement of the injured was recorded on 28.10.2025 and in both the statements, the applicant has only been assigned the role of exhortation. The applicant has no criminal antecedents. The applicant has been falsely implicated in the present case due to the fact that the deceased Paramjeet @ Gulla was involved in the murder of Teerath Singh, who was the relative of the applicant. It is mentioned in the First Information Report

itself that Paramjeet had been bailed out in the said case of murder. Teerath Singh is the brother of the co-accused Fauta Singh and the applicant has solely been implicated in the present case as he is a respected member of the community.

4. Sri Kamal Kumar Singh, the Learned counsel for the opposite party No.3/informant has opposed the prayer for grant of anticipatory bail and has contended that the applicant has been named in the First Information Report. He further submits that the injured was in a critical condition having suffered a gunshot injury and was not in a fit condition to give his statement, therefore, in the first two statements, name of the applicant could not be mentioned. It is only when he recovered from his injuries that he gave a complete statement to the Investigation Officer of the said case and the said statement has also been affirmed by him before the Learned Magistrate in his statement recorded under Section 183 BNSS, 2023. The Learned counsel for the informant further submits that attempts are being made to coerce the witnesses and for this, an application had been moved before the trial Court on 11.03.2026, specifically naming the applicant along with other accused of trying to coerce the witnesses.

5. The Learned A.G.A. has also supported the submissions made by the Learned counsel for the informant. The Learned A.G.A. has pointed out that two of the named accused namely Happy Singh and Balbir Singh @ Chagga had applied for regular bail before this Court and their bail applications have been rejected by this Court. However, he could not dispute the fact that the applicant is having no criminal history.

6. I have considered the submissions made by the Learned counsels for the parties and perused the material brought on the record.

7. The applicant though named in the First Information Report, has not been assigned any specific role. The First Information Report has been lodged by the brother of the deceased, who is admittedly not an eye witness of the incident. The deceased has suffered four gunshot injuries and the injured has suffered one gunshot injury on his thigh. The applicant has not been assigned the role of causing gunshot injuries to the deceased and the injured. The applicant was not arrested during

investigation and a charge-sheet against the applicant has been filed on 20.12.2025 on which, he has been summoned on 24.02.2026. The first and the second statements of the injured do not mention the applicant and it is only after about four months of the occurrence that the name of the applicant has been introduced in the statement of the injured witness. In the opinion of this Court, case of the applicant stands on a separate footing to that of the co-accused, who have assigned the specific role of causing firearm injuries in the statement of the injured consistently. The applicant is an old man aged about 69 years having no criminal antecedents to his credit. The charge-sheet against the applicant has been submitted without arresting the applicant and he is no longer required for any custodial interrogation.

8. Taking into account entire facts and circumstances of the case as discussed above, I find it appropriate to enlarge the applicant on anticipatory bail.

9. In view of the above, the anticipatory bail application of the applicant is allowed.

10. In the event of the arrest of the **applicant- Darshan Singh**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

- i. 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 from disclosing such facts to the Court or to any police officer;
- iii. that the applicant shall not leave India without the previous permission of the Court;
- iv. that the applicant shall not pressurize/intimidate the prosecution

witness;

11. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

12. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

March 23, 2026

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