



2026:AHC:62443

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 2796 of 2026**

Amarjeet Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Kuldeep Singh, Rajesh Kumar Pal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard, the Learned counsel for the applicant, the Learned A.G.A. for the State as well as perused the record.
2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.547 of 2025, under Section 69 of B.N.S., Police Station- Kalyanpur, District- Kanpur Nagar, with a prayer to enlarge him on anticipatory bail.
3. The Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. The applicant is sought to be arrested on accusation of having committed an offence under Section 69 of the B.N.S., 2023. The First Information Report had been lodged on the basis of an application under Section 173(4) BNSS, 2023. The applicant and the victim are stated to be in a long-standing relationship and established physical relations under the promise of marriage in the year 2022. The Learned counsel for the applicant submits that assuming without admitting that the averments made in the First Information Report are true, the alleged false promise of marriage was made before the enforcement of B.N.S. on 1.07.2024 and as such, an offence under Section 69 BNS, 2023 is not attracted. He further submits that the version brought forth in the application under Section 173(4) BNSS shows that the applicant and the victim were in a cordial and consensual relationship, which is also evident from the loans taken by the informant supposedly at the behest of the applicant. The crux of the allegations against the

applicant is that the applicant had portrayed that he had obtained a divorce decree and sent a forged decree on WhatsApp. The Learned counsel for the applicant contends that this allegation is false. No decree for divorce was sent on WhatsApp to the victim. The applicant never concealed his marital status and was finally granted divorce by the Family Court, Etawah on 22.07.2025. The applicant is still ready to marry the victim and has never made any false promise of marriage.

4. The Learned A.G.A. has opposed the prayer for grant of anticipatory bail and contended that the applicant misrepresented his marital status and obtained the consent of the victim to establish physical relations, which is squarely covered under Section 69 of the B.N.S. The Learned A.G.A. further submitted that not only has the applicant committed an offence under Section 69 B.N.S., but by preparing a forged document, has also committed an offence under Section 338 of B.N.S. The investigation is still in progress and the same would be brought to its logical conclusion soon. In the meantime, the applicant is required for custodial interrogation and he may not be granted indulgence. However, the Learned A.G.A. could not dispute the fact that the applicant has no criminal history to his credit.

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

6. The First Information Report has been lodged with a delay on the basis of an application moved under Section 173(4) BNSS. The applicant and the victim were admittedly in a long-standing physical relationship. The applicant still stands by his promise to marry and has obtained a divorce decree from the Family Court at Etawah. The victim is also stated to be a divorced lady. The applicant has no criminal antecedents. In the opinion of the Court, a long-standing relationship which has now turned sour, may not come within the mischief of Section 69 B.N.S.

7. Taking into consideration all the relevant facts and circumstances of the case as mentioned above and without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicant on anticipatory bail.

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

9. In the event of the arrest of the **applicant- Amarjeet 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;

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

11. 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 25, 2026

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