



SL. No.	Date	Office Notes, reports, orders or proceedings or directions or Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/926/2026</u> Dushyant Kumar --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Rajendra Dobhal, learned Senior Advocate, Mr. Jitendra Dobhal, learned Senior Advocate assisted by Mr. B.M. Pingal, learned counsel for the applicant. Mr. Deepak Bisht, learned Deputy Advocate General for the State of Uttarakhand. Mr. Vipul Sharma, learned counsel for the complainant. 2. The present bail application has been filed by the applicant, who is in judicial custody in connection with FIR No. 135 of 2026, registered at Police Station Kotwali Bhagwanpur, District Haridwar, for the offences punishable under Sections 318(4), 336(3), 338 and 340(2) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.). 3. Heard learned counsel for the parties and perused the record. 4. As per the prosecution case, the applicant is the Manager of the Committee of Management of Dayanand Anglo Vedic Shiksha Samaj Educational Society, Bhagwanpur, Haridwar, which runs and manages the affairs of B.D. Inter College, Bhagwanpur. It is alleged that the applicant, in connivance with certain other members of the society, executed a sale deed in favour of one Vinay Saini in respect of land belonging to the society without obtaining prior permission from the competent authority, namely, the Registrar under the Societies Registration Act. It is further alleged that,



		instead of depositing the sale consideration in the bank account of the society, the applicant deposited the same in his personal account. According to the prosecution, the market value of the land was more than ₹3.5 crores, whereas the sale deed was executed for a consideration of only ₹1 crore, thereby causing loss to the society. 5. Learned Senior Counsel for the applicant submits that, prior to the execution of the sale deed, permission had been sought from the Registrar and that the Deputy Registrar had recommended the same and forwarded the relevant report to the Registrar. It is contended that the applicant was under a bona fide misconception of law and believed that the recommendation made by the Deputy Registrar amounted to permission for executing the sale deed. It is further submitted that the charge-sheet has already been filed and cognizance was taken on 06.07.2026. As per the charge-sheet, there are 30 prosecution witnesses; however, not a single prosecution witness has been examined till date. Learned Senior Counsel further submits that the applicant is a senior citizen and is suffering from a heart ailment, on account of which he has frequently been referred to AIIMS, Rishikesh, for medical treatment. The applicant has been in judicial custody since 08.04.2026. It is also contended that the evidence in the case is documentary in nature and, therefore, there is no likelihood of the applicant tampering with the evidence. Furthermore, he has placed reliance upon paragraphs 10 and 11 of the judgment rendered by the Hon'ble Supreme Court of India in Mahesh Chandra Joshi vs. State of Rajasthan, 2026 SCC OnLine 2197, in support of his submissions. 6. Per contra, learned State counsel and learned counsel for the complainant have opposed the bail application.
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		7. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that, having regard to the overall facts and circumstances of the case, particularly the fact that the applicant is a senior citizen suffering from a heart ailment and requires continuous medical supervision, as well as the fact that not a single prosecution witness has been examined despite cognizance having been taken on 06.07.2026, the applicant's prayer for bail merits consideration. This Court also takes note of the submission that the evidence in the case is primarily documentary in nature. Accordingly, without expressing any opinion on the merits of the case, this Court is of the view that the applicant deserves to be enlarged on bail. 8. It is the admitted case of the applicant that he has received a sum of ₹ 30,00,000/- out of the sale consideration and that he is ready and willing to deposit the said amount before the Registry of this Court. Having regard to the facts and circumstances of the case, the said undertaking is taken into consideration while deciding the present bail application. 9. Accordingly, the bail application is allowed. 10. Let the applicant be released on bail upon furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the court concerned, subject to the condition that the applicant shall deposit a sum of ₹30,00,000/- before the Registry of this Court in the form of a fixed deposit receipt (FDR) within fifteen days from the date of issuance of the certified copy of this order. 11. It is made clear that any observation made hereinabove is confined to the adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case.
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