



2026:AHC:81292

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 41324 of 2025

Harshvardhan Jain

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashutosh Mishra, Gyanendra Kumar
Yadav, Syed Abid Ali Naqvi
Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Sri Manish Tiwary, learned Senior Counsel assisted by Sri Ashutosh Mishra, Syed Abid Ali Naqvi and Sri Gyanendra Kumar Yadav, learned counsels for the applicant, Sri Pankaj Saxena, learned AGA for the State and perused the records.

The instant bail application under Section 483 of BNSS at the instance of the applicant Harshvardhan Jain has been filed seeking enlargement on bail in Case Crime No. 671 of 2025, under Sections 318(4), 319, 336(3), 338, 340(2) and 341(1) of BNS, Police Station Kavi Nagar, District Ghaziabad during the pendency of the trial before the court below. The bail application of the applicant before the court below has been rejected by the Additional Sessions Judge/Special Judge (POCSO Act) Court No. 1, Ghaziabad, vide order dated 30.10.2025 and the applicant has been languishing in jail since 23.07.2025.

Sri Manish Tiwary, learned Senior Counsel appearing for the applicant vehemently argued that the applicant is entirely innocent and has been falsely implicated in this very case crime number for ulterior motives. The FIR giving rise to the case crime number aforementioned has been lodged nominating the applicant with the allegation that the applicant is operating an Embassy illegally in Kavi Nagar, Ghaziabad by hoisting flags of various countries and putting diplomatic number plates on vehicles and individuals are being defrauded through the said Embassy. The Embassy does not have the permission of the Ministry of External Affairs, Government of India. A police party is stated to have raided the premises KB-45, Kavi Nagar, Police

Station Kavi Nagar, Ghaziabad, and made certain recoveries which have been detailed in Para 10 of the affidavit filed in support of the bail application. The recoveries includes documents, IDs, Seals, Number Plates Indian and Foreign Currencies and some photographs. Among the documents seized the Indian Passport of the applicant bearing No. KB40020B bearing the signature of Pushpa Rajan, Section Officer, New Delhi was seized. Two other Passports bearing numbers 000006 of Principality of Sebroga and CD 31-C. Diplomatic Passport No. 00015555 also bearing the forged seal of the Ministry of External Affairs and Pushpa Ranjan were recovered.

Sri Manish Tiwary, learned Senior Counsel appearing for the applicant has vehemently submitted that the Indian Passport of the applicant is genuine and the six additional passports and diplomatic number plates are mere novelty souvenirs issued by various Macro-nations i.e Principality of Seborga, Lostisland, West Artica etc. It is argued that these items are intended for identification and ceremonial purposes within those organizations and were never utilized as official travel credentials or to impersonate state officials. There has been no violation of the Indian Passport Act. It is further argued that the applicant has not used the CD Number plates which are issued by the Ministry of External Affairs but has utilized CDI Plates (Club Diplomatique International) Souvenir Plates which are placed below the genuine Indian Registration Numbers. The vehicles seized bore genuine Indian Registration Numbers and no offence or violation of the Motor Vehicles Act can be attributed to the applicant.

Sri Manish Tiwary, learned Senior Counsel has further argued that there is no complaint or any FIR lodged against the applicant alleging fraud, duping or criminal inducement. The 22 registered corporate entities and their seals are legitimate and have remained dormant with no bank transactions or trade activity precluding any financial impropriety. Any funds received were voluntary, transparent and utilized strictly for ceremonial functions and cultural exchanges rather than personal gains. The cash recovered during the search was legitimately borrowed from relatives to settle a civil proceedings Case No. 9459 of 2013 pending before the DRT, Lucknow. The applicant has not morphed any photographs and the meetings with high profile designation including the former President, His Excellency Sri Shankar Dayal Sharma and APJ Abdul Kalam as well as with Sri Narendra Modi, the current Prime Minister are all authentic and can be verified via official entry

registers. The claims linking the applicant with Adnan Khashoggi are factually impossible as the said individual expired in the year 2017 itself. The claim of Hawala Transaction have not been substantiated by the prosecution.

It is further argued that there is no sign or Board at the residence of the applicant claiming it to be an Embassy. A small nameplate merely identifies the applicant as a "Royal Advisor" via e-Mail to the I.O. No offence as alleged in the FIR can be said to be made out against the applicant. The applicant has one other criminal antecedent which has been duly explained in Para 54 of the bail application in which he has already been bailed out. The charge sheet against the applicant has already been filed on 16.10.2025 and the investigation against the applicant is complete. The further custodial interrogation of the applicant in this case is no longer required. The applicant is not a flight risk and undertakes to cooperate in the trial and shall not misuse the liberty of bail if released on bail. Hence bail has been prayed for.

Per contra, Sri Pankaj Saxena, learned AGA has vehemently opposed the bail plea by submitting that incriminating material has been collected against the applicant during the investigation which establishes the complicity of the applicant in the commission of the crime alleged. He however could not rebut the submissions advanced by learned counsel for the applicant or dispute the fact that investigation has concluded on filing of the charge sheet and further custodial interrogation of the applicant is not required.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is **allowed**.

Let the accused-applicant, **Harshvardhan Jain**, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.

3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.

4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

April 2, 2026
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(Ashutosh Srivastava,J.)