

Case :- BAIL No. - 3453 of 2020

Applicant :- Sandeep Singh (Anticipatory Bail)

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home. & Another

Counsel for Applicant :- Nadeem Murtaza, Shubham Tripathi, Syed Yashab Husain Rizvi

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Dinesh Kumar Singh, J.

1. Heard Mr. Vivek Tankha, learned Senior Advocate assisted by Mr. Nadeem Murtaza and Mr. Shubham Tripathi, learned counsels for the accused-applicant and Mr. V.K. Shahi, learned Addl. Advocate Government assisted by Mr. Anurag Varma, learned A.G.A.

2. The present application under Section 438 Cr.P.C. has been filed seeking anticipatory bail apprehending arrest in FIR No.145 of 2020, under Sections 177, 182, 287, 336, 417, 420, 465, 467, 468, 505 (1) (b) & (2) read with Section 120B IPC, Police Station - Hazratganj, District- Lucknow.

3. Learned counsel for the accused-applicant contends that the accused-applicant is private Secretary of Ms. Priyanka Gandhi Vadra. He wrote some letters to the Additional Chief Secretary, Mr. Awanish Awasthi, Principal Secretary (Home), Government of U.P. The letters were with respect to offering 1000 buses for plying migrant labourers from Ghaziabad-Noida borders. It appears that out of 1000 buses, papers of 150 vehicles were not in order. Out of these 150 vehicles, some vehicles were Auto/Three Wheelers, Ambulances, Trucks etc., and permit and fitness of some of the vehicles/buses were not valid.

4. Mr. V.K. Shahi, learned Addl. Advocate Government assisted by Mr. Anurag Varma, learned A.G.A. has opposed the bail application vehemently.

5. The accused-applicant has written letters on behalf of Priyanka Gandhi Vadra. In every letters he said that he was writing on behalf

of Ms. Priyanka Gandhi Vadra. Ms. Priyanka Gandhi Vadra is not an accused in the FIR in question. It is Ms. Priyanka Gandhi Vadra who on behalf of the Congress Party offered buses for transporting the migrant workers during crisis caused by pandemic COVID-19. The present accused-applicant was only conveying the messages and writing letters on her behalf.

6. Looking at the triviality of the offence and nature of allegation, this Court is inclined to admit the accused-applicant on anticipatory bail till filing of the police report under Section 173(2) Cr.P.C. In the event of arrest, the applicant shall be released on bail on his furnishing a personal bond of Rs.1,00,000/- and two sureties of the like amount to the satisfaction of the arresting officer/I.O./S.H.O. concerned. The applicant shall cooperate in the investigation . The applicant is granted anticipatory bail with further following conditions :-

- (i) That the applicants shall make themselves available for interrogation by a police officer as and when required;
- (ii) That the applicants 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 them from disclosing such facts to the Court or to any police officer;
- (iii) That the applicants shall not leave India without the previous permission of the Court; and
- (iv) Such other conditions as may be imposed under sub-section (3) of Section 437, as if the bail were granted under that section.

7. With the above observation/direction, the anticipatory bail application is ***disposed of***.

Order Date :- 7.8.2020

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