



2025:AHC-LKO:51491

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 7024 of 2025

Asif Naseem

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home U.P. Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Surekha Patel
Counsel for Opposite Party(s) : G.A.

Court No. - 13

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Harsh Singh and Sri Pratik Raj, the learned counsel for the applicant, Smt. Shikha Sinha, the learned A.G.A.-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.572 of 2021, under Sections 409, 420, 467, 468, 471, 120-B I.P.C., registered at Police Station Gomti Nagar, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R., stating that the informant had made investments in M/s Shine City Infra Project Pvt. Ltd., but no returns were paid on the investments.
4. In the affidavit filed in support of the bail application, it has been stated that the applicant has been falsely implicated in the present case. The applicant was the Managing Director of the Company, M/s Shine City Infra Project Pvt. Ltd., in which, investments were made. The applicant is languishing in jail since 01.11.2021 but even the charges have not been framed against him even after the expiry of a period of more than three and half years. It has further been stated in the affidavit that as per the knowledge of the deponent, the applicant is involved in about 528 cases through out the State of U.P., all of which are similar in nature. The applicant has already been granted bail in 241 cases.
5. The learned Additional Government Advocate-I appearing on behalf of the State has opposed the prayer for bail and she has submitted that the applicant has duped thousands of persons and the

offence committed by him is serious in nature which does not justify his release on bail, but the learned A.G.A. could not dispute the fact that the applicant is languishing in jail since 01.11.2021 and even charges have not been framed till date.

6. The Purpose of keeping an accused in custody during trial is to enure his availability to face the trial. When the trial has not commenced in spite of expiry of a period of more than three and half years since the applicant was taken in custody, it appears that the purpose of keeping the applicant in custody is not being achieved by the prosecution. In these circumstances, the continued incarceration of the applicant does not appear to be serving the ends of justice.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the F.I.R alleges non return of a money invested in a Company; it appears that no civil proceedings for recovery of the money has been instituted by the informant; the applicant is languishing in jail since 01.11.2021 and even the charges have not been framed till date, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail.

8. Accordingly, this bail application stands **allowed**.

9. Let the **applicant- Asif Naseem** be released on bail in aforementioned case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court, unless his appearance is exempted by the learned trial court.

August 29, 2025
Ram.

(Subhash Vidyarthi,J.)