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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010389932026

+ **BAIL APPLN. 3447/2026**

MD. ASIF

.....Petitioner

Through: Mr. Dhananjay Sehrawat, Adv.
versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State.
SI Sawan, PS Gokulpuri

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

20.08.2026

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1. This hearing has been done through hybrid mode.
2. The present application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS') seeking grant of anticipatory bail in FIR No. 152/2026, registered at Police Station Gokulpuri, Delhi, for offences punishable under Sections 318/319(2)/329(4)/338/340/61(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as 'BNS').
3. Learned counsel for the petitioner submits that the present FIR was registered pursuant to the directions passed by the learned Metropolitan Magistrate on an application filed by the complainant under Section 156(3) of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'Cr.P.C.'). He submits that prior thereto, the complainant had also approached the Police Station with a complaint. It is further submitted that the petitioner has joined



the investigation and inquiry as and when he was called by the Investigating Officer.

4. Learned counsel for the petitioner further submits that there is an inter se dispute between the family members of the complainant in respect of the property in question, on account of which the petitioner, who claims to be a bona fide purchaser, has been falsely implicated in the present case.

5. It is submitted that the petitioner has no role in the alleged transactions and is ready and willing to join the investigation as and when directed by the Investigating Officer.

6. Per contra, learned APP for the State submits that the father of the complainant, namely, Sh. M.C. Gupta, along with Sh. V.K. Malhotra, had purchased 1500 square yards of the property in question in the year 1984 through a registered sale deed. He subsequently expired in the year 2013. It is submitted that thereafter, the petitioner, along with the other co-accused persons, entered into a criminal conspiracy and fabricated a chain of documents to falsely claim ownership and possession over the property in question and also instituted civil proceedings on the basis thereof.

7. Learned APP for the State further submits that it was during the pendency of the said civil proceedings that the complainant came to know about the alleged fabrication in the year 2025. Thereafter, the complainant approached the Police Station and, when no action was taken, filed an application under Section 156(3) Cr.P.C. before the learned Metropolitan Magistrate, pursuant to which the present FIR came to be registered.

8. Learned APP for the State submits that there is a complete chain of documents, the genuineness and authenticity of which are required to be verified by the Investigating Officer. It is further submitted that custodial



interrogation of the petitioner is required to unearth the entire conspiracy. Learned APP further submits that the petitioner has also failed to produce the original documents relating to the transaction.

9. Learned APP for the State further submits that the petitioner claims to have purchased the property for a consideration of Rs.85,00,000/-, which, according to the petitioner, was paid in cash. Considering the magnitude of the alleged cash transaction, the petitioner was directed to produce his income-tax returns and other books of account to establish the source of funds. However, the petitioner has failed to produce the same.

10. The Court has heard learned counsel for the petitioner as well as learned APP for the State and has perused the material placed on record.

11. At this stage, the investigation is still underway. The prosecution alleges that there is a chain of documents pertaining to the property in question, the authenticity and genuineness of which are required to be investigated. The Investigating Officer is also required to ascertain the source of the consideration allegedly paid by the petitioner and the circumstances in which the documents forming part of the alleged chain came to be executed.

12. Further, the petitioner has admittedly not produced the original documents and, as per the prosecution, has also failed to produce his income-tax returns and other relevant financial records despite being called upon to do so.

13. In view of the nature of the allegations, the documentary trail which is yet to be fully investigated and the requirement of custodial interrogation of the petitioner for unearthing the alleged conspiracy, this Court is not inclined to grant anticipatory bail to the petitioner.

14. Accordingly, the present application is dismissed. Pending



application(s), if any, stands disposed of.

15. The order be uploaded on the website forthwith.

MADHU JAIN, J

AUGUST 20, 2026/b/P