

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

% Order delivered on: 19<sup>th</sup> March, 2015

+ **BAIL APPLN. 1467/2014**

R K MADAAN ..... Petitioner  
Through Mr. Lalit Gupta, Adv. and  
Mr. Ashish Kumar, Ms.  
Garima Goel, Advs.

versus

STATE ..... Respondent  
Through Mr.M.P. Singh, APP for State  
SI Vikram Singh, PS  
Mianwali Nagar

**CORAM:  
HON'BLE MR.JUSTICE MANMOHAN SINGH**

**MANMOHAN SINGH, J.**

1. The present application has been filed by the petitioner under Sections 438 & 482 Cr.P.C. seeking pre-arrest/anticipatory bail with directions to the Investigating Officer/SHO in case FIR No.330/2014, under Sections 120B/420/448/511 IPC registered at P.S. Mianwali Nagar, Delhi pursuant to the complaint case filed by Megha Narula under Section 156(3) Cr.P.C. to release the petitioner in the event of their arrest in the said case.

2. Brief facts of the case are that the complainant/Megha Narula alleged in the present FIR that the petitioner in collusion with one Raj Kumar Chandra has done illegal acts to grab the

property bearing Flat No. 198, 3<sup>rd</sup> floor, under MIG category situated at Peera Garhi, Paschim Vihar, New Delhi (hereinafter referred to as the “suit property”). It is further alleged that the petitioner along with Raj Kumar Chandra has been pressurizing the complainant to hand over the physical possession of the suit property.

3. Thereafter the complainant along with the co-owner namely Smt. Santosh Gupta filed a Civil Suit No. 209/2011 before the Civil Judge, Tis Hazari Courts titled as “Santosh Gupta & Anr. vs. R.K.Madaan & Ors.” seeking relief of permanent injunction against the petitioner and other co-defendants *qua* the suit property which is still pending.

4. Raj Kumar Chandra/co-accused in the present FIR also filed a Civil Suit bearing C.S.(OS) No. 1484/2012 titled as “R.K.Chandra vs. R.K.Madaan & Ors.” before this Court against the petitioner, the complainant and her husband *qua* the suit property seeking reliefs of specific performance and permanent injunction which is still pending.

5. Thereafter Raj Kumar Chandra got registered another FIR No. 135/2011 dated 3<sup>rd</sup> June, 2011 at P.S. Mianwali Nagar against the petitioner under Section 420/34 IPC and Section 3(1) of the Scheduled Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989 alleging disputes with respect to the suit property. By order dated 9<sup>th</sup> June, 2011 anticipatory bail was granted by the Learned Trial Court. In the meanwhile, the complainant made a complaint to the Commission of S.C. and

S.T. and on the direction of S.C. and S.T. Commission Section 3(1) of S.C. and S.T. Act was added in the above said FIR. Thereafter the petitioner filed Bail Application 485/2012 before this Court wherein the petitioner was also granted anticipatory bail by order dated 13<sup>th</sup> April, 2012.

6. In view of the above, the petitioner is granted anticipatory bail in FIR No. 330/2014.

7. The interim order dated 3<sup>rd</sup> July, 2014 is made absolute.

8. The petition is disposed of.

**(MANMOHAN SINGH)**  
**JUDGE**

**MARCH 19, 2015**