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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 1643/2015

NARESH KUMAR

..... Petitioner

Through : Mr.N.S.Dalal with Mr.Devesh
P.Singh, Advocates.

versus

THE STATE (GOVT.OF NCT OF DELHI)

..... Respondent

Through : Mr.Sanjeev Sabharwal, APP.
Mr.Manish Tanwar, Advocate, for the
complainant.

+ BAIL APPLN. 1644/2015

RAM KISHAN

..... Petitioner

Through : Mr.N.S.Dalal with Mr.Devesh
P.Singh, Advocates.

versus

THE STATE (GOVT.OF NCT OF DELHI)

..... Respondent

Through : Mr.Sanjeev Sabharwal, APP.
Mr.Manish Tanwar, Advocate, for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

BAIL APPLN. 1643-44/2015

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ORDER

01.10.2015

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(1) The petitioners seek anticipatory bail in case FIR No.1145/2014 registered under Sections 420/467/468/471/34 IPC registered at Police Station Hari Nagar. Status report is on record. The bail is opposed by the complainant.

(2) I have heard the learned counsel for the parties and have examined the file. The instant case was registered on the orders of learned Metropolitan Magistrate in complaint case instituted by the complainant Phool Singh under Section 156(3)Cr.P.C.

(3) Status report reveals that during investigation Phool Singh disclosed that the owner of the land was his son Ghanshyam. Number of documents have been placed on record by the petitioners to show that Ghanshyam had already filed a Civil Suit for Declaration, Mandatory and Permanent Injunction against the petitioners and others. The said civil suit filed on 13.08.2008 is contested by the petitioners. Issues have been settled and the matter is still pending for disposal. The property in dispute is the subject matter of the said civil suit. It has further come on record that the proceedings under Section 145 Cr.P.C. have been initiated regarding the property in question. The petitioners have claimed ownership of the suit land on the basis of registered Sale Deed dated 23.01.2008. The said sale deed is under challenge before the Civil Court. Undisputedly, the petitioners have since joined the investigation in compliance of the directions of the Trial Court.

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(4) Considering the facts and circumstances of the case, the petitioners are admitted to anticipatory bail and in the event of their arrest, they be released on bail on their furnishing personal bond in the sum of ₹50,000/- each with one surety each in the like amount to the satisfaction of the SHO/Investigating Officer with the condition that they shall join the investigation as and when required.

(5) The bail applications stand disposed of.


S.P.GARG, J

OCTOBER 01, 2015

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