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

+ BAIL APPLN. 636/2016

NARESH KUMAR

..... Petitioner

Through: Mr. Vipin Sanduja and Ms. Shilpi
Chaudhary, Advocates

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Dr. M.P. Singh, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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07.09.2016

Learned counsel for the petitioner submits that petitioner is in custody for about 20 months. Charge sheet under Sections 406/420/467/468/471/409/120-B IPC has been filed against the petitioner and trial is pending. Charges have yet to be framed. The trial will take time.

It is further contended that present FIR was registered on the complaint of one Sh. Sangit Agarwal, who has stated in the FIR that he had purchased 15 acre of land in Village Issapur, Najafgarh, Delhi from one Sh. Madan Lal by General Power of Attorney dated 22nd November 2004, Agreement to Sell dated 7th October 2014 and Will dated 22nd November, 2004. Sh. Madan Lal handed over possession of the land to complainant. Subsequently, complainant came to know that Directors of M/s. Golden Project Ltd. had entered into a criminal conspiracy with Revenue Officials and prepared a resolution dated 5th December 2000 in favour of the petitioner thereby authorizing him to sell the said land. On the basis of such

authorisation petitioner executed a Sale Deed dated 6th October 2006 in favour of M/s Pearl Infrastructure Project Pvt. Ltd. in respect of 15 acres of land of complainant. Earlier M/s. Golden Project Ltd. through its authorized representative Sh. Rakesh Kumar had sold 25 acres of land to Sh. Madan Lal, who in turn sold 15 acres of land to complainant.

Learned counsel for the petitioner submits that petitioner had sold the land pursuant to the resolution dated 5th December 2000 passed by M/s. Golden Project Ltd. in his favour. During the investigation, the resolution has been verified. The petitioner had sold land on behalf of M/s. Golden Project Ltd. being its authorized representative. Directors of M/s. Golden Project Ltd. are enjoying interim protection in their anticipatory bail applications.

Keeping in mind the totality of the facts and circumstances of the case as detailed above, that petitioner is in custody for about 20 months and trial is likely to take time, the petitioner is admitted to bail, subject to his furnishing personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of trial court.

Application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J

SEPTEMBER 07, 2016

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