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

+ **BAIL APPLN. 480/2015**

SUSHILA

..... Petitioner

Through : Mr. Mahipal Singh, Adv.

versus

STATE OF DELHI

..... Respondent

Through : Mr. Mukesh Kumar, APP with SI
Rakesh Rana PS Bharat Nagar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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23.09.2016

Petitioner is daughter in law of complainant Patashi Devi. Complainant has alleged in the FIR that her son Mahavir Prasad committed suicide on 24th June, 2012. Her son used to keep the papers relating to the factory of her husband with him in almirah. After his death, petitioner and her children stole the papers from the almirah. They also stole the cheque book of her husband and withdrew amounts from her husband's account maintained in Syndicate Bank by forging the signatures.

Learned additional public prosecutor submits that statement of Prabhu Dayal was recorded during the investigation wherein he stated that Ravinder had withdrawn `5,00,000/- from his account by forging his signatures. Original cheque was obtained from the bank officials of Syndicate Bank, Azadpur, Delhi and specimen signature of Mr. Prabhu Dayal were also obtained. During investigations, it was also revealed that a civil suit in respect

of property bearing no.K-15A, Sawan Park, Delhi was also pending between the parties. On 13th July, 2015, out of total 9 cheques, 5 cheques were obtained from Syndicate Bank. Specimen signatures of Mr. Prabhu Dayal and specimen signatures of Ravinder were sent to FSL for expert opinion. It is submitted that documents are yet to be recovered. As per FSL, signatures of Prabhu Dayal on the cheque were forged by Ravinder.

Learned counsel for petitioner submits that petitioner has not forged any signature and not withdrawn any amount. Petitioner is daughter in law of complainant and Prabhu Dayal. Civil dispute is also pending in respect of immovable properties. Present FIR has been lodged in order to pressurise petitioner not to claim her share in the immovable properties. Petitioner has not stolen any property papers. Petitioner is enjoying interim protection for the last one and a half years.

Keeping in mind the totality of facts and circumstances, it is ordered that in case of arrest, petitioner be released on bail upon her furnishing a personal bond in the sum of `10,000/- (Rupees Ten Thousand Only) with one surety of the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO concerned.

Bail application is disposed of in the above terms.

A.K. PATHAK, J.

SEPTEMBER 23, 2016/dk