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

+ CRL.M.C. 4247/2013

RAJEEV KUMAR

..... Petitioner

Represented by: Ms.Saahila Lamba, Advocate

versus

STATE & ANR

..... Respondents

Represented by: Mr.Akshai Malik, APP
Mr.Murari Tiwari, Advocate with
Mr.Rahul Kumar, Ms.Nupur Patodia
and Mr.Shashi Shekhar, Advocates
for R-2

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

% **15.09.2016**

1. The petitioner : complainant, lays a challenge to the order dated July 22, 2013 followed by the order dated September 19, 2013 passed by the learned Additional Sessions Judge; the former granting bail to respondent No.2 and the latter dismissing the application seeking cancellation of the bail granted.
2. Dispute pertains to a plot of land ad-measuring 200 square yards comprised possibly in Khasra No.134/16/2 in the revenue estate of village Jagatpuri. An unauthorized colony named Milan Vihar has sprung up and there is no sanctioned layout plan of the colony.

3. Case of the petitioner that one Sh.Raj Singh owned the land in question who conveyed title to one Vidyawati wife of Paras Nath under the usual documents executed in Delhi : an agreement to sell, a GPA and an affidavit dated October 09, 1990. Paras Nath in turn, by executing similar documents in January 21, 2008, conveyed title to one Mahender Singh who, executing similar documents on May 09, 2008 conveyed title to the petitioner.
4. Respondent No.2 also relates back the title to Raj Singh but claims that under agreement to sell, will, GPA etc. dated May 19, 1998 he conveyed the property to one Sushma who, executing similar documents on September 25, 2007 conveyed title to respondent No.2.
5. I have noted the aforesaid facts to bring home the point that claim and counter claim would be resolved on the basis of the documents on which the parties relied and there is no scope to urge that witnesses would be intimidated.
6. The dispute relating to title, be it possessory or otherwise of a property, would be justification itself for bail to be granted to the accused.
7. I see no merit in the petition which is dismissed.

PRADEEP NANDRAJOG, J.

SEPTEMBER 15, 2016

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