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

+ **BAIL APPLN. 812/2015**

JAI KISHAN SHARMA

..... Petitioner

Represented by: Mr. S.S. Gahlot, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Surender Kumar, PS Hari
Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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22.11.2016

By this petition, the petitioner seeks anticipatory bail in case FIR No.374/2011 under Sections 467/468/471/453/380/506/120B IPC registered at PS Hari Nagar on the complaint of one Manjeet Singh Saluja pursuant to directions of learned Metropolitan Magistrate under Section 156(3) Cr.P.C.

During course of investigation, it was revealed that one Nanoo Ram was survived by seven sons, two daughters and his wife Savitri Devi. After his death, the parties entered into a settlement pursuant whereof various properties of Nanoo Ram were distributed. Jai Gopal Sharma was given plot No.C-1 (the disputed plot) and C-4, Sharma Lane whereas plot No.C-2 and C-3 were given to Jai Bhagwan and plot Nos.C-5 and C-6 to Jai Kishan Sharma, the petitioner herein and similarly to the other brothers. Despite the fact that the disputed plot being C-1, Sharma Lane went to the share of Jai Gopal Sharma and relinquishment deed by mother and two sisters was

executed in his favour, the petitioner sold the said property to Mahender Malik claiming himself to be the owner of the property on the basis of general power of attorney (GPA) dated 4th February, 1988. The GPA was witnessed by two witnesses namely Ram Lal S/o Fateh Chand and Ramphal S/o Jai Lal both residents of Village Tihar, Delhi. It was revealed that Ram Lal S/o Fateh Chand passed away in the year 1985 whereas the GPA was executed on 4th February, 1988 and existence of Ramphal S/o Jai Lal was doubtful as nobody with this name and address could be traced. It was thus evident that the petitioner prepared forged GPA on the basis of which he sold the property to Mahender Malik.

Considering the allegations against the petitioner and the fact that original documents are yet to be recovered, this Court find no reason to grant anticipatory bail to the petitioner.

Petition is dismissed.

MUKTA GUPTA, J.

NOVEMBER 22, 2016

‘v mittal’