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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1818/2016**

MANGE RAM @ MANGE Petitioner
Through :Mr. Siddharth Tyagi and Mr.
Siddharth Tewari, Advs.

versus

STATE Respondent
Through :Mr. Amit Chadha, APP with SI
Rajender Kumar, P.S. Bhalswa Dairy

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.09.2016

Learned APP for the State submits that complainant, namely, Naresh

Jain has alleged in the FIR that petitioner had prepared forged documents and on the basis thereof he occupied 1 bigha and 10 biswa of land in Khasra no. 262/174, Village Mukundpur, Delhi, inasmuch as got the demarcation conducted from the Sub Divisional Magistrate, Civil Lines, Delhi. He further submits that during the course of investigation, it has come on record that original owner, namely, Tulsi Dass executed a General Power of Attorney dated 13th August, 1999 in favour of one Shri Kartar Chand Sharma for taking care of land admeasuring 12 bigha 10 biswa in khasra No. 257/176 (8-10) and 262/176 (4). Tulsi Dass did not sell the said property to Kartar Chand Sharma. As per the FSL report, the stamp papers of documents, that is, Agreement to Sell, affidavit etc. though petitioner has

alleged to have purchased the property from Kartar Chand Sharma in the year 2002, were purchased in the year 1994. During the course of hearing, learned APP points out that Kartar Chand Sharma has died.

Learned counsel for the petitioner submits that petitioner had purchased the property from Kartar Chand Sharma bonafidely believing him to be Attorney of Tulsi Dass. Relevant documents have already been handed over to Investigating Officer. No custodial interrogation is required as the entire matter is based on documentary evidence. He further contends that petitioner has, in fact, been duped by Kartar Chand Sharma.

Keeping in mind the totality of circumstances, it is ordered that in case of arrest, petitioner be released on anticipatory bail subject to his furnishing a personal bond in the sum of ₹25,000/-(Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of the Investigation Officer/Arresting Officer/SHO concerned. Petitioner shall, however, cooperate in the investigation and appear before the Investigating Officer as and when he is called upon to do so.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

SEPTEMBER 08, 2016/rb