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

+ **BAIL APPLN. 2158/2016**

**AJIT SINGH**

..... Petitioner

Represented by: **Mr. S.P. Kaushal and Mr. U.S. Panwar, Advocates.**

versus

**THE STATE (GOVT. OF NCT OF DELHI)**

..... Respondent

Represented by: **Ms. Rajni Gupta, APP for the State with SI Vijay Pal, PS Najafgarh.**

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**14.12.2016**

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No. 265/2016 under Sections 420/467/468/471 IPC registered at PS Najafgarh, Delhi on the complaint of one Smt. Maharani Devi. The above noted FIR was registered pursuant to directions under Section 156 (3) Cr.P.C. The allegations of Maharani Devi in the complaint are that in the year 2001 she borrowed ₹4 lakhs from the petitioner and in lieu thereof gave the ownership documents of Plot No.B-45, Khasra No.11, Gali No. 14, Prem Vihar, Nangli Dairy, Najafgarh admeasuring 50 sq. Yards as security. While giving the loan, the petitioner took her thumb impression on some blank documents. Later she repaid the amount of ₹4 lakhs with further interest of ₹1.79 lakhs and when she asked for return of the property document which was given as security the petitioner refused to return the

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said document. Later it was revealed that on the strength of the blank documents, thumb marked by the complainant, the petitioner sold the said plot to Mukesh Kumar s/o Karan Singh. Mukesh Kumar filed a civil suit against the complainant for possession of the house when she came to know about the deal and thus she filed a complaint first before the police and then before the learned Metropolitan Magistrate when no action was taken by the Police.

2. Pursuant to the registration of the FIR, the investigation was carried out. As per the investigation though the petitioner claims to have sold the property to one Mukesh Kumar however, the sale document has not been registered but is a notarised document with no corresponding entry in the register.

3. Be that as it may, even as per the investigation the claim of Maharani Devi that she returned the loan in instalments and part of the said amount was borrowed from Kunwar Pal Singh is not substantiated. Statement of Kunwar Pal Singh was recorded who stated that he never gave any money either to Ajit Singh or Maharani Devi. Further no receipts of the repayment of the loan were shown by the complainant to the investigating agency.

4. Considering the fact that there are no documents with the complainant to show that she has returned the entire amount to the petitioner and the petitioner has joined the investigation this Court deems it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the

condition that he will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the learned Trial Court.

5. Petition is disposed of.
6. Order dasti.

**MUKTA GUPTA, J.**

**DECEMBER 14, 2016**  
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