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

+ **BAIL APPLN. 324/2017**

SUNITA SHARMA

..... Petitioner

Through: Mr. D.N. Goverdhan with Mr. J.K.
Noon, Mr. Daman Popli & Ms. Gauri
Chaturvedi, Advs.

versus

STATE

..... Respondent

Through: Ms. Neelam Sharma, APP.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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04.05.2017

The petitioner seeks bail in connection with FIR No.99/2013 dated 29.03.2013 (P.S. Patel Nagar) instituted for offences under Sections 419, 420, 120B, 467, 468 and 471 IPC.

A property which belonged to one Sadanand Nikore is said to have been purchased by the husband of the petitioner. Mr. Sadanand Nikore had been allotted that property in West Patel Nagar on 31.12.1963. After his death, the name of the wife of Sadanand Nikore was mutated. There are two daughters of Sadanand Nikore who are surviving and both of them are non-Indian residents.

The allegation against the petitioner is that documents were forged for the purposes of showing transaction between Rita Chugh, one of the daughters of the original allottee, and the petitioner. The property in question was shown to have been purchased for a consideration amount of

Rs.42 lakhs. Before the Registrar, one Yasmeen masqueraded as Rita Chugh. Thereafter, the property was sold to one Avtar Singh for an estimated sale consideration of Rs.3 crore, out of which Rs.79 lakhs were received in the bank account of the petitioner. Investigations revealed that the driver of the husband of the petitioner introduced one Yasmeen to him whose name was used by the husband of the petitioner in forging the aforesaid documents.

Learned counsel appearing for the petitioner submits that the petitioner is only a house wife and was not even aware that her name was used for all such sham transactions. True it is that the property was registered in the name of the petitioner and it was later conveyed in her name to Avtar Singh and money was also deposited in her account but she was unaware of all such transactions.

It is further submitted that the husband of the petitioner is in jail. Charge-sheet has already been submitted.

Having regard to the facts that the husband of the petitioner, the main accused, is in custody, the custody of the petitioner since September, 2016; and the investigation in this case being complete, this court is inclined to release the petitioner on bail.

Let the petitioner be released on bail on her furnishing bail bond in the sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the Trial Court.

The petitioner shall participate in the trial and shall not make any attempt to tamper with the evidence. In case the petitioner is found to be making attempts at tampering the evidence or involving herself in any further transactions of the property in question, it would be open for the

State to move an application for cancellation of the bail. As and when the trial of the case is conducted before the court below, the petitioner shall participate in the trial and her absence on three consecutive occasions without reasonable explanation, the bail shall be cancelled by the Trial Court.

Dasti.

ASHUTOSH KUMAR, J

MAY 04, 2017

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