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

+ **BAIL APPLN. 788/2014**

SURENDER SHARMA

..... Petitioner

Through: Mohd. Nadeem proxy counsel for
Mr. Rajat Sharma, Advocate

versus

STATE OF NCT DELHI

..... Respondent

Through: Mr. Tarang Srivastava, APP for the
State

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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02.05.2017

The application at hand seeking grant of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.) was submitted in April, 2014 in the context of FIR No.211/2014 of Police Station Safdarjung Enclave involving offences punishable under Sections 420/468/471/506 of Indian Penal Code, 1860 (IPC). The FIR was registered at the instance of the mother of the applicant. The prime cause for grievance urged in the said FIR concerned the document in the nature of agreement to sell dated 26.09.2013 purportedly indicating the sale of the property no.D-274, Arjun Nagar, Safdarjung Enclave, New Delhi against payment of Rs.5 lacs. While it is the allegation in the case presently under investigation that the said document was forged by the applicant, he has been in denial.

By order dated 16.04.2014, protection was granted to the petitioner to the effect that no coercive action was to be taken though on the condition that he would join investigation as and when required by the investigating officer. The said interim order has continued till date.

It is fairly conceded that the applicant has been co-operating in the investigation throughout. The status report dated 02.02.2016 earlier filed indicates that the Forensic Science Laboratory (FSL) was unable to reach a definitive conclusion as to the authorship of the questioned signatures on the document described as agreement to sell. While the case would undoubtedly need further detailed investigation, in the facts and circumstances, there is no reason why the applicant should be denied due protection of anticipatory bail. Thus, the application is allowed.

It is directed that in the event of he being arrested the petitioner shall be released on bail on he furnishing personal bonds in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of the arresting officer, subject to the conditions that he shall continue cooperating with the investigation and join the same as and when called upon to do so and shall not come in contact with or try to influence any of the witnesses connected to the case.

It is made clear that this order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

Dasti.

R.K.GAUBA, J.

MAY 02, 2017/vk