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

+ **BAIL APPLN. 1231/2018**

SARFARAZ ALI

..... Petitioner

Represented by: Mr. Shahid Azad with Mohd.
Aslam, Advocates

versus

STATE

..... Respondent

Represented by: Ms. Rajni Gupta, APP for the
State
SI Ranbir Singh, PS Swaroop
Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.09.2018

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By this petition, the petitioners seeks bail in case FIR No.157/2018 under Sections 448/511/380 IPC registered at Police Station Swaroop Nagar.

The case of the complainant – Dilshad Khan is that he had purchased plots admeasuring 1000 square yards, 210 square yards, 251 square yards and 1576 square yards, comprising of a total area of 3037 square yards out of Khasra No. 1331 and 1326 situated in the revenue estate of Village Kadi Pur, Delhi from three co-owners, namely, Jugal Kishor, Sabir Ali and Mohd. Jahir, who executed documents in his favour and handed over physical possession of the property, where the complainant installed an iron board in the name of Nafees Khan Nursery, Swaroop Vihar.

Admittedly, as per the revenue records, the three co-owners of the property were Jugal Kishore, Sartaz Ali and Mohd. Jahir. Though, Jugal Kishore and Mohd. Jahir state that they have sold the property to Dilshad

Khan, the complainant, however, the case of the petitioner is that the documents of the properties were executed as security for a loan agreement. He states that possession of the property was never parted with. DVR of the CCTV footage has also been handed over to the Investigating Agency and as per the relevant time, neither the complainant nor the accused, (the petitioner herein) were seen entering the concerned property.

The documents including the possession letter admittedly bear the signatures of the petitioner who is not denying the same, however, the petitioner has sought cancellation of the said documents and has already availed the civil remedy.

Considering the nature of allegations, the material evidence being documentary in nature and the petitioner having already joined the investigation, this Court deems it fit to grant bail to the petitioner on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the Arresting Officer/SHO concerned, further subject to condition that the petitioner will join the investigation as and when directed by the Investigating Officer.

Petition is disposed of.

Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 14, 2018

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