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

+ **BAIL APPLN. 1840/2018 & Crl. M.A. no. 29311/2018**

DEVENDER Petitioner
Through Mr. Rana Kunal and Mr. Sanjeev
Malik, Advs.

versus

THE STATE Respondent
Through Mr. M.S. Oberoi, APP
Mr. Nirmal Singh, Adv. for
complainant

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **06.08.2018**

Complainant has alleged in the FIR that Shri Jai Pal, father of the petitioner was living near his clinic. He became friendly with the complainant. After death of Shri Jai Pal, petitioner and his brothers also became friendly with the complainant. In the year 2008, petitioner and his brothers, namely, Bhupender and Rajesh induced the complainant to buy their plot no. 4 admeasuring 70 sq. Yds. for ₹5,60,000. Bhupender Singh executed Agreement to Sell, General Power of Attorney, Will, Possession Letter, receipts on 19th January, 2008. Sale consideration was paid in cash;

thereafter, possession of the subject property was handed over to the complainant. Petitioner and co-accused Bhupender approached the complainant and requested him to accommodate Rajesh in one room of the subject property, which complainant allowed on compassionate ground. Subsequently, mother of petitioner also started living in the said room. Room was not vacated. In the year 2016, when complainant visited the subject property, he found that petitioner and co-accused broke upon the locks of the adjoining two rooms and occupied the same.

Learned counsel for the petitioner submits that has been falsely implicated. Petitioner was not found in possession of any portion of the subject property. Petitioner does not claim any ownership rights over the subject property admeasuring 70 sq. Yds. None of the documents have been signed by the petitioner.

Keeping in mind the totality of facts and circumstances of this case, it is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹20,000/-(Rupees Twenty Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned. However, petitioner shall 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. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

AUGUST 06, 2018

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