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

+ **BAIL APPLN. 2067/2016**

VIJAY SHARMA

..... Petitioner

Represented by: Mr. Baldev Raj and Ms. Shikha Tyagi, Advocates.

versus

STATE

..... Respondent

Represented by: Mr. Amit Gupta, APP for the State with SI Ranbir Singh, PS Swaroop Nagar.
Mr. Manish Rathore, Advocate for Mr. K.K. Kundra, Advocate for Mr. Raja Bansal/complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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06.02.2018

1. By this petition the petitioner seeks anticipatory bail in case FIR No. 70/2015 under Sections 380/448/452/506/420/468/471/34 IPC registered at PS Swaroop Nagar on the complaint of one Raja Bansal.
2. The allegations of Raja Bansal in the complaint were that his father had purchased about 695 sq. yards area out of Khasra No. 1059 situated at village Kadipur in the name of his mother Smt. Manju Bansal and constructed two rooms and boundary wall on the said property and fixed a main gate. On 8th January, 2015 when the complainant visited the property, he stayed there for some time and came back. On 15th January, 2015 one of the neighbour informed him that some unknown person had broken the locks

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of the rooms and installed electricity meter.

3. During the course of investigation, it was revealed that actual owners of Khasra No. 1059 were Surinder Jain and Prveen Jain. Surinder Jain sold approximately 4489 sq. yards area in Khasra No. 1059 to five persons in the year 1991 out of which 695 sq. yards was sold to Smt. Manju Bansal. Thus the area remaining in Khasra No. 1059 with Surinder Jain was admeasuring 351 sq. yards approximately. Documents executed in favour of Manju Bansal got lost and thus Surinder Jain executed fresh documents in favour of Manju Bansal.

4. Petitioner claims to have purchased the entire land out of Khasra Nos. 1052, 1059 and 1062 from Praveen Jain and Surinder Jain however, during the course of investigation when the statement of Surinder Jain and Praveen Jain were recorded who reiterated that they had sold 695 sq. yards to Manju Bansal and not to the petitioner, the petitioner claimed that she had bought the area from one Govind Ram. The said Govind Ram could not be traced. As per the FSL report the documents executed by Surinder Jain in favour of Manju Bansal have been found to be genuine.

5. Considering the vacillating stand of the petitioner and that the original owners of the property being Surinder Jain and Praveen Jain have never sold the property to the petitioner, prima facie the documents in favour of the petitioner have been created on the strength of forged and fabricated documents. Thus this Court finds no ground to grant anticipatory bail to the petitioner. Petition is dismissed.

MUKTA GUPTA, J.

**FEBRUARY 06, 2018/‘vn’
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