$~ 2

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

\+ BAIL APPLN. 2585/2017 & CRL.M.A. 20762/2017

SUMAN GOYAL ..... Petitioner

Through: Ms. Shilpi Jain Sharma with Mr. Mukul Sharma, Advocates.

versus

THE STATE OF DELHI ..... Respondent

Through: Mr. Ravi Nayak, APP for State with SI Jaivir Singh, P.S. Kotla Mubarakpur.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

O R D E R

% 11.07.2018

The case under investigation vide FIR No. 1171/2015 has been registered by Police Station Kotla Mubarakpur involving offences punishable under Sections 406/420/454/468/471/120B IPC registered on the complaint of Rishi Kumar, authorised attorney of M/s BDR Builders & Developers Pvt. Ltd. It appears the dispute relates to title to the property described as bearing No. 950, Arjun Nagar, Kotla Mubarakpur, New Delhi. It further appears that the said property was owned jointly by Kailash Chander Joshi and Tara Joshi who are described as co-accused in the aforementioned offence. The said original owners had executed a sale deed in favour of the first informant on 12.12.2013. It appears the first informant having purchased the property had carried out certain construction over the property over a prolong period at the end of which the petitioner set

up her own claim as to the title to the extent of 40% in the subject property on the strength of sale deed dated 07.08.2013.

A civil suit was filed on the original side of this Court, since transferred to the district courts on account of change of pecuniary jurisdiction, wherein an *ad interim* injunction has been granted in her favour. While the role attributed to the petitioner would require investigation, keeping in view the facts and circumstances, a case for release on anticipatory bail is made out.

Thus, the petition is allowed. It is directed that in the event of the petitioner being arrested, she shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount subject to the following further conditions:-

(i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;

(ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;

(iii) Prior to her release, she shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;

(iv) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(v). She shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if she holds one, with the said court; and

(vi) 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 her by the court of cognizance.

Dasti, under the signatures of Court Master.

R.K.GAUBA, J

JULY 11, 2018
srb