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

+ **BAIL APPLN. 2579/2023**

NAEEM

..... Petitioner

Through: Mr. Nikhil Mehta, Mr. Varun Sharma
and Mr. Raghav Arora, Advs.

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Hemant Mehla, APP and SI
Manish Tyagi and ASI Shiv Singh,
PS Jamia Nagar.

+ **BAIL APPLN. 2580/2023**

NAVEEN BEGUM

..... Petitioner

Through: Mr. Nikhil Mehta, Mr. Varun Sharma
and Mr. Raghav Arora, Advs.

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Hemant Mehla, APP and SI
Manish Tyagi and ASI Shiv Singh,
PS Jamia Nagar.

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Date of Decision: 10.08.2023.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

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J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

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Exemption allowed subject to just exceptions.

Applications stand disposed of.

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1. The present bail applications have been filed under section 438 CrPC seeking grant of anticipatory bail in case FIR No. 0047/2021 dated 06.02.2021 registered under Sections 448/380/34 IPC at PS Jamia Nagar.
2. Learned counsel for the petitioner submits that the FIR was lodged by Ms. Shariya w/o Raju who is the real sister of the petitioner namely Naveen Begum. Learned counsel submits that the alleged incident is stated to be of 04.02.2021, wherein, allegedly the accused persons trespassed into the property of the complainant bearing H.No.B-5A, Okhla Vihar, Jamia Nagar, New Delhi, and took away some articles after breaking open the locks.
3. Learned counsel submits that initially the petitioners were granted interim protection by the court.
4. Learned counsel has pointed out that even in the status report dated 23.07.2023 filed by ASI Shiv Singh before the learned Trial Court. It has been verified that the property belongs to the accused Mohd.

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Naeem.

5. Learned counsel for the petitioner submits that though the petitioners have joined the investigation however the police wants them to make statements as per their liking and thus are alleging that the petitioners are not cooperating in the investigation.
6. Learned APP for the state has opposed these bail applications. Learned APP submits that the accused persons are absconding and even the NBWs have been issued against them.
7. Learned APP further submits that the accused persons are not cooperating in the investigation.
8. Submissions considered.
9. It is a matter of fact that in the status report filed before the learned Trial Court, the IO has verified that the property in question belongs to the accused Mohd. Naeem. Admittedly, the parties herein are close relatives and the present matter seems to have stemmed from a property dispute between the relatives.
10. Without going into the merits of the case, in the event of arrest, the accused persons are admitted to anticipatory bail on furnishing a personal bond of Rs. 20,000/- each with one surety of the like amount to the satisfaction of Investigation Officer/SHO subject to the following conditions:
 - i. Accused persons shall join and cooperate in the investigation and appear before the Investigating Officer as and when directed;



- ii. The accused persons shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case and shall not tamper with the evidence in any manner;
 - iii. The accused persons shall disclose their residential address and mobile number to the concerned IO and shall inform him in case of any change of residential address and/or mobile number by way of an affidavit;
 - iv. The accused persons shall not leave the country without the permission of the Court;
11. In view of the directions, the present bail applications stand disposed of.

DINESH KUMAR SHARMA, J

AUGUST 10, 2023/AR