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

+ **BAIL APPLN. 385/2024**

PURSHOTTAM BHARGAVA

..... Petitioner

Through: Mr. Kanhaiya Singhal, Mr. Ujwal Ghai, Mr. Dushyant Bhargav, Mr. Teeksh Singhal, Mr. Prasanna, Mr. Ajay Kumar, Mr. Udit Bakshi and Mr. Vikram Singh, Advs.

versus

THE STATE THROUGH SHO

..... Respondent

Through: Mr. Raghuvinder Verma, APP for State with SI Sandeep and SI Manish Phogat, PS. Mehrauli.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

21.03.2024

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1. The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in connection with FIR No.737/2023 under Sections 420/468/471/34 IPC registered at Police Station Mehrauli.
2. The detailed facts of the present case have already been noted by this Court in the earlier order dated 02.02.2024. Regard being had to the said facts, an interim protection was granted to the petitioner subject to his joining investigation.
3. The learned counsel for the petitioner submits that the petitioner has



already joined investigation, which position is not disputed by the learned APP, on instructions from the I.O who is present in Court.

4. The learned APP, however, submits that the cheque which was given by one Billu @ Virender Tanwar to the present petitioner bears the signature of the present petitioner on the reverse side of the cheque.

5. The said signatures were sent for verification to the FSL and the report has come to the effect that the signature matches with the admitted signatures of the petitioner.

6. In response, the learned counsel for the petitioner submits that the FSL is not a substantive piece of evidence. Even otherwise, there was no occasion for Billu @ Virender Tanwar to have paid the said amount to the present petitioner for the purchase of the disputed land as alleged, when Billu @ Virender Tanwar was very much aware that the present petitioner is not the owner of the said disputed land, more particularly for the reason that he is a signatory to the compromise entered into between the present petitioner and Sher Mohd. wherein said Sher Mohd. agreed to repay the complete amount of sale consideration to the present petitioner.

7. He contends that the petitioner himself is a victim of the nefarious designs of Sher Mohd., who had sold the disputed land to the petitioner and took consideration money from him , in respect of which FIR No. 190/2013 was registered at the instance of the petitioner.

8. In view of the above, it is directed that in the event of petitioner being arrested, he be released on bail subject to his furnishing personal bond in the sum of Rs. 25,000/- and a surety bond of the like amount to the satisfaction of the Investigating Officer / Arresting Officer further subject to the condition that he will join investigation as and when directed by the IO



concerned.

9. The petition stands disposed of.
10. Order *dasti* under signatures of the Court Master.
11. Order be uploaded on the website of this Court.

MARCH 21, 2024/dss

VIKAS MAHAJAN, J