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

+ **BAIL APPLN. 503/2024**

VINAY RANA

..... Petitioner

Through: Mr. Ramesh Gupta, Senior Advocate
with Mr. Nikhil Rana, Mr. Tushar P.,
Mr. Ritik Sharma and Mr. Shailendra
Singh, Advocates.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Hemant Mehla, APP for State.
SI Manoj Kumar, PS Mehrauli.
Mr. Virender Kumar and
Mr. Abhinav, Advocates for R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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19.03.2024

1. The present application under Section 438 read with Section 482 of the Cr.P.C. seeks anticipatory bail in case FIR No. 698/2023, under Sections 420/34 of the IPC, registered at P.S. Mehrauli.
2. The case of the prosecution is that the present FIR has been registered at the instance of complainant Smt. Vasundhra, who is the wife of the applicant's brother. It is the case of the complainant that she had purchased a flat in the property bearing No. E-36, 1st Floor, Paryavaran Complex, Saidulajab, New Delhi through GPA executed in her name by Smt. Rakhi Rani W/o Mithlesh Singh Srinetra which was duly registered with the Sub-Registrar Noida, Tehsil Gautam Budh Nagar, U.P. It is an admitted case that a sum of Rs. 31 lakhs was paid by the brother of the present applicant, i.e.,



complainant's husband and her brother-in-law namely, Sh. Pankaj Rana. It is further alleged that the complainant, alongwith her two sons and her husband i.e., Vipin Rana, started living in the said flat in the year 2018, however, on account of some dispute between them, her husband started living with the present applicant. It is alleged that the complainant received a legal notice from the present applicant who claimed himself to be owner of the aforesaid flat on the basis of revocation of GPA of the said flat which was executed earlier in the name of the complainant. It is pointed out that the original executor Mrs. Rakhi Rani had executed a new GPA in the name of the present applicant. It is further alleged that the aforesaid fact came to the knowledge of the complainant on account of the fact that the name on the electricity meter was changed on the basis of the aforesaid GPA which was forged.

3. On 12.02.2024, learned Senior Counsel for the applicant submitted that the original GPA would be handed over to the Investigating Officer and the present applicant will join the investigation as and when required. It is pointed out that the applicant has joined the investigation and has handed over the original GPA to the Investigating Officer.

4. Learned APP for the State, on instructions from the Investigating Officer, confirms the aforesaid fact. As per the status report, the aforesaid Smt. Rakhi Rani was interrogated and she stated that she revoked the GPA executed in the name of the complainant. It is stated in the status report that after obtaining the specimen signatures of the complainant, the same will be sent to FSL.

5. In totality of the facts and circumstances of the case, the present application is allowed. In the event of arrest, the applicant is directed to be



released on bail on his furnishing personal bond of Rs. 50,000/- with one surety of like amount to the satisfaction of the Investigating Officer/Arresting Officer, further subject to following conditions:

- i. The applicant shall not leave the country without prior permission of the learned Trial Court.
 - ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The applicant shall join the investigation as and when called by the Investigating Officer concerned.
 - v. The applicant will not try to influence the witnesses in any manner.
 - vi. The applicant shall provide his mobile number to the Investigating Officer and intimate about any change.
6. The application is allowed and disposed of accordingly.
 7. Pending applications, if any, also stand disposed of.
 8. Needless to state that nothing stated hereinabove is an opinion on the merits of the case.
 9. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

MARCH 19, 2024/sn