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IN THE HIGH COURT OF DELHI AT NEW DELHI

BAIL APPLN. 1458/2022

KULJEET SINGH

.....Applicant

Through: Mr.A.K.Gupta, Mr.Rishi
Bhardwaj, Mr.S.S.Singh, Advs.

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr.Aman Usman, APP with SI
Jyoti
Mr.V.K.Tandon, Mr.Rinku
Tiwary, Ms.Kanika Rathore,
Advs. for R-1, 2, 4

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

05.02.2024

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1. This Bail Application has been filed under Section 438 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') seeking grant of anticipatory bail in FIR No.486/2021 registered with Police Station: Sector 23 Dwarka, Dwarka District, Delhi under Sections 468/471/120B of the Indian Penal Code, 1860 (in short, 'IPC').
2. It is the case of the prosecution that a complaint was received from Sh.Virender Nehra alleging that he and his wife are the owners of the plot situated at Khasra no.25, Khata no.18, situated in Block-C, Village Pochanpur, New Delhi, and are in peaceful possession of the same since 2005. It is stated that they have raised construction over the said plot of land and have also been granted an electricity connection. It is further alleged that



the applicant herein, along with the others, have hatched a criminal conspiracy to grab their abovementioned plot by the aid of forged and fabricated documents. The person from whom the applicant and the complainant are claiming to derive their title to the above plot has denied selling the same to Sh.Gurnam Singh, father of the applicant herein. It is stated that the said person states that she had borrowed Rs.10 lacs from Lt. Sh.Gurnam Singh and had handed over the property papers only as security to him.

3. In the course of investigation, the questioned document, that is, the Agreement to Sell and the Power of Attorney dated 08.09.1998 has been sent by the police for a report from FSL. The report dated 09.06.2023 has been received from the FSL, which opines that the signatures on the said document do not match the sample signatures of Smt. Champa Bhasin.
4. The learned counsel for the applicant submits that the applicant is aged around 29 years. The documents in question were registered on 08.09.1998, therefore, as on the date of the registration, the applicant would be only around 3-4 years old. He submits that even otherwise, the FSL report is incorrect and cannot be relied upon for various reasons, including the specimen signatures of the executant of the documents sent for comparison to the FSL.
5. On the other hand, the learned APP and the learned counsel for the complainant submit that the documents have been forged by the applicant in order to grab the property of the complainant.



6. The learned counsel for the complainant submits that the applicant has also filed a Civil Suit in relation to the subject property, on which the interim injunction has been refused to him. He submits that based on the forged documents, it is apprehended that the applicant may sell the property further as he has already tried to create third-party interests.
7. I have considered the submissions made by the learned counsels for the parties.
8. As is evident from the above, the questioned documents were registered on 08.09.1998. The factum of their registration has been verified by the police. As has been contended by the learned counsel for the applicant, as on that date of registration, the applicant would have been only about 3-4 years old. The questioned documents are in the possession of the police and the FSL report has been received, therefore, there is no threat of tampering with the evidence. As recorded in the order dated 15.12.2023 as well, the applicant has joined the investigation and is cooperating with the police.
9. Accordingly, it is directed that in the event of arrest, the applicant be released on bail in FIR No.486/2021 registered with Police Station: Sector 23 Dwarka, Dwarka District, Delhi under Sections 468/471/120B of IPC, subject to furnishing a personal bond in the sum of Rs.25,000/- with one local surety of the like amount to the satisfaction of the Arresting Officer/IO/SHO concerned and further subject to the following conditions:
 - (i) The applicant will join the investigation as



and when directed, in writing;

(ii) The applicant shall not leave the NCT of Delhi without intimating the IO/SHO concerned;

(iii) The applicant shall not, directly or indirectly, try to contact/influence the complainant/victim or any other witness(s) or tamper with evidence of the case; and,

(iv) The applicant shall furnish his mobile phone/landline number and residential address to the IO/SHO concerned and shall keep his mobile/landline phones operational at all times during this period, and in the event of any change of the same, will immediately inform the same to the IO/SHO.

(v) The applicant shall not indulge in any criminal activity.

10. Needless to state, any observation touching the merits of the case is purely for the purposes of deciding the question of grant of Anticipatory Bail and shall not be construed as an expression on the merits of the matter.

11. The Bail Application is allowed in the above terms.

NAVIN CHAWLA, J

FEBRUARY 5, 2024

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Click here to check corrigendum, if any