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

+ BAIL APPLN. 3160/2023

SANJEEV MALHOTRA Petitioner

Through: Dr. Alok, Advocate.

versus

STATE (GOVT. OF NCT OF DELHI) Respondent

Through: Mr. Aashneet Singh, APP for State
with SI Vinay PS Kesham Puram,
Delhi.

Mr. Bharat Bhushan Jain and Mr.
Suman Jain, Advocates for
complainant with complainant in
person.

+ BAIL APPLN. 4024/2023

RAJEEV MALHOTRA Petitioner

Through: Dr. Alok, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) Respondent

Through: Mr. Aashneet Singh, APP for State
with SI Vinay PS Kesham Puram,
Delhi.

Mr. Bharat Bhushan Jain and Mr.
Suman Jain, Advocates for
complainant with complainant in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **22.01.2024**

1. By way of present applications filed under Section 438 Cr.P.C, the applicants seek anticipatory bail in FIR No. 745/2022 registered under



Sections 420/467/468/471/120B IPC at Police Station Keshav Puram, Delhi.

2. Learned counsel for the petitioners/applicants states that the applicants are the owners of a portion of property bearing number B-3, Rana Pratap Bagh, Delhi-110007 and for the purpose of taking sanction, had appointed one architect. The said architect without applicant's knowledge had filed forged copy of sale deed with the MCD. It is further submitted that the applicants have joined investigation and are not involved in any other case. They have provided their specimen signatures and handwriting to the I.O.

3. Mr. Aashneet Singh, learned APP for State duly assisted by learned counsel for the complainant opposed the applications. It is submitted that in the application seeking sanction, the applicants have forged the documents showing that they had purchased the portion of ownership of the property from one Gurbaksh Rai Palta whereas as per the chain of documents, the property was purchased by applicants' father from where it has devolved on the present applicants. It is further submitted that after lodging the present FIR, the MCD has cancelled the sanction and now charge-sheet has been filed.

4. Learned counsel for the complainant states that the complainant is the owner of 100 sq. yards out of the said property by virtue of sale documents executed by Gurbaksh Rai Palta in his favour.

5. Looking into the aforesaid facts and circumstances and the fact that the applicants have already joined investigation and the charge sheet stands filed and the further facts that sanction plan obtained by petitioners on basis of the alleged forged documents has already been cancelled by the MCD, it is directed that in the event of arrest, the applicants be released on



anticipatory bail subject to their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned police station and also subject to the following further conditions:

- i) The applicants shall remain available on their mobile numbers which shall be provided to the IO, which they undertake to keep operational at all times during the trial;
- ii) The applicants shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence;
- iii) The applicants shall regularly appear before the Trial Court during the period of trial;
- iv) In case of change of residential address/contact details, the applicants shall promptly inform the same to the concerned Investigating Officer/SHO.

6. The applications stand disposed of in the above terms.

7. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case.

MANOJ KUMAR OHRI, J

JANUARY 22, 2024/rd