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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2558/2024 & CRL.M.(BAIL) 1213/2024

NEERAJ KUMAR

.....Applicant

Through: Mr. Avadh Bihari
Kaushik, Mr. Rishabh
Kumar, Mr. Vivek, Mr.
Pawan Kumar & Mr.
Aman Kumar, Advs.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Ajay Vikram Singh,
APP for the State along
with Ms. Neelam, Mr.
Sumeet Tanwar, Ms.
Sheetal Tanwar, Mr.
Aditya Sharma, Mr.
Naveen Chauhan & Ms.
Purvi Jalan, Advs.
SI Surender Singh, PS
S.B. Dairy.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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23.07.2024

CRL.M.A. 21363/2024

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present application is filed seeking grant of regular bail in FIR No. 225/2022 dated 26.03.2022, for offences under Sections 420/467/468/471/120B/448/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S. Shahbad Dairy, Delhi. The chargesheet has been filed against the applicant for offences under Sections 420/467/468/471/448/120B/201/34 of the IPC.

4. The FIR was registered pursuant to a complaint filed by

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the complainant, namely, ~~Respondent~~, who claimed to be the owner of a piece of land, being, Khasra No.279, situated in village Shahbad, Daulatpur, Delhi (**‘the subject property’**). It was alleged that the co-accused, namely, Kuldeep Sharma and the applicant had encroached upon the subject property owned by the complainant by forging and fabricating certain documents.

5. This Court by order dated 18.07.2024 had directed the co-accused, who had been attributed a similar role, to be released on bail. It was noted that the co-accused had been in custody since 26.12.2023 and trial is likely to take a lot of time, moreover, since the investigation was complete and the chargesheet had already been filed, he was not required for further investigation. It was noted that the beneficiary of the alleged forgery, at this stage, appears to be Darshana Devi and the applicant had allegedly purchased the subject property from her. The Court also noted that the applicant is stated to have purchased the subject property by executing relevant documents and after having paid a consideration and no suit for possession or for cancellation of documents has been filed by the complainant till date.

6. The role alleged against the applicant is not graver than the co-accused Kuldeep Sharma who has already been enlarged on bail. The applicant has been in custody since 29.10.2023 and the chargesheet has already been filed. The applicant is, therefore, no longer required for further investigation

7. In view of the above, without commenting on the merits of the case, the applicant is directed to be released on bail on the ground of parity on furnishing a bail bond for a sum of ₹50,000/- with two sureties of the like amount, subject to the satisfaction of



the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
 - b. The applicant shall under no circumstance leave the boundaries of the country without the permission of the learned Trial Court;
 - c. The applicant shall appear before the learned Trial Court as and when directed;
 - d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
 - e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
8. In the event of there being any FIR/ DD entry/ complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.
9. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.
10. The bail application is allowed in the aforementioned terms.
11. Pending application, if any, stands disposed of.

AMIT MAHAJAN, J

JULY 23, 2024

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