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

+ BAIL APPLN. 4245/2023, CRL.M.A. 34624/2023 & CRL.M.A.
34625/2023

MR MOHD IMRANPetitioner

Through: Mr. Lokesh Kumar Mishra, Mr.
Haider, Mr. Sumir Kumar, Mr.
Himanshu Sharma, Mr. Devansh
Sehgal, Mr. Feroz Kha, Mr. Abdullah
Shahid and Mr. Vinay, Advs.

versus

STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Aman Usman, APP for the State
with Insp. Dharmendra Kumar, PS
DIU North Distt.

2

+ BAIL APPLN. 4249/2023, CRL.M.A. 34645/2023 & CRL.M.A.
34646/2023

MR MOHD SHAZMAN @ SHAZMANPetitioner

Through: Mr. Lokesh Kumar Mishra, Mr.
Haider, Mr. Sumir Kumar, Mr.
Himanshu Sharma, Mr. Devansh
Sehgal, Mr. Feroz Kha, Mr. Abdullah
Shahid and Mr. Vinay, Advs.

versus

STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Aman Usman, APP for the State
with Insp. Dharmendra Kumar, PS
DIU North Distt.

3

+ BAIL APPLN. 4250/2023, CRL.M.A. 34647/2023 & CRL.M.A.
34648/2023



MR MOHD FAIZAN @ FAIZAN

.....Petitioner

Through: Mr. Lokesh Kumar Mishra, Mr.
Haider, Mr. Sumir Kumar, Mr.
Himanshu Sharma, Mr. Devansh
Sehgal, Mr. Feroz Kha, Mr. Abdullah
Shahid and Mr. Vinay, Advs.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP for the State
with Insp. Dharmendra Kumar, PS
DIU North Distt.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

05.07.2024

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1. These petitions have been moved seeking anticipatory bail in FIR No.1150/2023 PS Sadar Bazar under Sections 448/380/454/34 of IPC. Counsel for the petitioners points out that this Court, in order dated 30th January, 2024, noted the background facts of the matter and directed that no coercive steps be taken against the petitioners subject to them joining and cooperating in the investigation.
2. The grievance of the petitioners is that the petitioners are owners and resident of the premises bearing No. T-257, Sher ka Pinjra, Idgah Road, Sadar Bazar, Delhi-110006 since many years. One of the shops which is situated on the ground floor was given to the complainant. Complaint was made that the accused persons had broken the lock of the complainant, stolen goods and taken possession of the shop, which led to the registration of the FIR.



3. However, as noted by the Court, a civil suit had been filed where the complainant was restrained from interfering with the petitioners' peaceful possession of the said property. Subsequently, notices were issued under Section 41(A) of Cr.P.C.
4. The petitioners filed documents showing his title and possession over the property which were handed over to the IO. The IO has now since verified the said documents and he states on instructions that they do not wish to arrest the petitioners, in these facts and circumstances.
5. The APP also states on instructions that complainant failed to give any original documents when so summoned by the IO, despite three notices.
6. Accordingly, the petitioners be granted anticipatory bail.
7. In light of the above, the Court is of the considered opinion that the petitioner is entitled to anticipatory bail. Consequently, in the event of arrest the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the condition that the petitioner will join investigation as and when directed and not influence any witness/complainant/victim or tamper with evidence of the case.
8. Accordingly, petitions stand disposed of. Pending applications, if any, are also rendered infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 5, 2024/MK