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

+ **BAIL APPLN. 120/2025**

GAGANDEEP KAUR

.....Petitioner

Through: Mr. R.K.Thakur, Mr.Rishabh Kr.
Thakur, Mr. Shambhavi Thakur, Ms.
Priyambada and Ms. Anjali
Aggarwal, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for State
with SI Sushil and ASI Ramesh Babu,
P.S.Jaitpur.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

21.02.2025

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1. The First Anticipatory Bail Application under Section 482 B.N.S.S has been filed on behalf of the Accused/Gagandeep Kaur in FIR No.283/2024 under Sections 186/353/332/323/341/506/34 I.P.C, registered at P.S. Jaitpur.
2. It is submitted that the Anticipatory Bail Application filed before the learned ASJ, Delhi has been dismissed on 13.03.2024. The co-accused persons namely Komal Preet Kaur, Ranu Kaur, Amandeep Singh have already been granted Anticipatory Bail by the learned ASJ on 12.08.2024. Also, Regular Bail has been granted to co-accused Sarabjeet Kaur on 24.08.2024.
3. The Applicant is a law abiding citizen who has been falsely implicated in this case. There is a property dispute between Rahul Kumar



and co-accused/Sarabjeet Kaur. On the complaint of Rahul Kumar the FIR No.270/2024 dated 14.06.2024 under Section 448/506 IPC, was registered against the parents of the Applicant. Police issued a Notice under Section 41-A to the co-accused/Sarabjeet Kaur and her husband/Harbans to join the investigations. Co-accused/Sarabjeet Kaur did not join the investigations and NBWs were issued against her on 24.06.2024.

4. On 25.06.2024 at about 6.30 AM, some police persons in civil uniform without disclosing their identity, came to the house of Sarabjeet Kaur to arrest her. Relatives and neighbours thought that Rahul Kumar had sent some Goondas to grab the property and abduct Sarabjeet Kaur.

5. It is submitted that when the police had gone to execute the NBW against co-accused Sarabjeet Kaur and Harbans at House No.152, Village Jaitpur, Delhi the Applicant, who is the daughter of Sarabjeet Kaur, along with the other co-accused persons obstructed the police party as their identity was not disclosed and they were in civil uniform.

6. It is submitted that according to the case of the State, the Applicant had bitten on the arm of the lady Police Constable who was in civil uniform with the muffled face and had come to arrest her mother, Mrs. Sarabjeet Kaur. The photograph showing police personnel dressed as civilians is annexed with the Bail Application.

7. In the meantime, the persons in civil uniform informed Police Station and at 7.30 AM few policemen in uniform, came to the house of Sarabjeet Kaur and arrested her.

8. Thereafter, present FIR No.283/2024 against eight persons, for obstructing the police in performing their duty, was registered. It is claimed that this FIR is an example of nexus between the land mafia and the Police,



and has been registered at the instance and in connivance with Mr. Rahul Kumar to browbeat and harass them with an ulterior motive to pressurise co-accused/Sarabjeet Kaur to settle the property dispute with Mr. Rahul Kumar.

9. It is claimed that the FIR lodged against the Applicant and her family members is a gross abuse of the process of law. The allegations made in the FIR are absurd, preposterous and an outcome of land grabber. The Anticipatory Bail has been dismissed by the learned ASJ without appreciating the facts in correct perspective.

10. It is further submitted that four co-accused persons have already been granted Anticipatory Bail while Sarabjeet Kaur has been granted Regular bail.

11. The Applicant has joined investigation twice; **firstly** on 04.07.2024 and **secondly** on 03.09.2024 but she has not been arrested by the police. She is a final year Law Student and her exams commenced from 15.01.2025. She undertakes to join the investigation as and when called. It is submitted that in these circumstances the Anticipatory Bail be granted.

12. The learned counsel on behalf of the Applicant has further submitted that after filing of the present Application the Applicant has joined investigations on 30.01.2025 as well.

13. The **Status Report** has been filed on behalf of the State wherein it is asserted that the Applicant had caused injury to the constable by biting her on her right arm. Since the Petitioner was not joining investigations after dismissal of her Anticipatory Bail, NBWs and thereafter proceedings under Section 82 Cr.P.C have been initiated against the Applicant. It is further asserted that if Anticipatory Bail is granted, it would hamper the investigations in this case. The bail is, therefore, opposed.



14. Submissions heard and record perused.

15. The allegations against the Applicant is that she along with the co-accused persons, had obstructed the police who had come to their house in civil uniform at 6.30 AM to arrest her mother and father. There is essentially no custodial interrogation which is sought to be made. The four co-accused persons, with similar allegations, have already been admitted to Anticipatory Bail.

16. Considering the totality of the circumstances, it is directed that in the event of her arrest, the Petitioner shall be admitted to Anticipatory Bail by the Investigating Officer/Arresting Officer, subject to the following conditions:-

- (i) The Petitioner shall furnish a personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer.
- (ii) The Petitioner shall join the investigations, as and when called by the Investigating Officer.
- (iii) The Petitioner shall furnish his cellphone number to the Investigating Officer on which he may be contacted at any time and shall ensure that the number is kept active and switched-on at all times.
- (iv) The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case.
- (v) The petitioner shall not tamper with the evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.



17. The Petition stands disposed of in the above terms.
18. Copy of the Order be sent to the learned Trial Court for compliance.

NEENA BANSAL KRISHNA, J

FEBRUARY 21, 2025

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