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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 489/2025**

MEENA KUMARI @ MEENA THEKEDARNIPetitioner

Through: Mr. Lewish Edward, Mr. Aman Akhtar, Mr. Vignesh P, Mr. Rajesh Yadav, Mr. Danish Ali, Ms. Vasundhara N and Ms. Sana Singh, Advocates.

versus

THE STATE NCT OF DELHI THROUGH SHO OF PS HARSH VIHARRespondent

Through: Mr. Shoaib Haider, APP for State with SI Yogender Singh, DIU/North East.
Mr. C.N.Grover, Advocate for the Complainant.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

% **ORDER**
17.04.2025

1. Bail Application under Section 439 Cr.P.C/483 BNSS has been filed for regular bail in FIR No.306/2024 under Section 308/448/380/458/34/460/147/149 IPC, P.S.Harsh Vihar.
2. It is submitted in the Application that the Applicant a 50 year old woman had sought the regular bail on the ground that the dispute essentially has its genesis in a civil dispute between the parties. Complainant in order to get the possession and title of the house No.18, Gali No.1, Khasra No.543 near Sheetla Mata Mandir, Mandoli Village, Harsh Vihar, Delhi has made the false allegations only to



grab the property. The Applicant had got the title and possession of the property in question through registered GPA dated 14.02.2020, however, Complainant started claiming title over the property in the year 2022 by forging property documents namely GPA, Will , receipt, Possession Letter. It is asserted that even though the property was situated in Delhi, the documents were registered in Ghaziabad, U.P.

3. Furthermore, Complainant along with her wife with ill motive took the Applicant to Meerut requesting her to buy a property but he implicated her in an NDPS case. She has been illegally dispossessed from her own house. She filed a complaint in Police Station Harsh Vihar on 13.04.2024.

4. The IO had asked for the documents of title from the accused persons which have been submitted through Whatsapp on 12.06.2024. The earlier complaints of the Applicant show that she had approached the appropriate authorities before the date of incident for redressal of her grievances. The present FIR is a counterblast to her earlier complaints. Even after the Applicant was dispossessed, one room of the property in dispute was in possession of the Applicant which continues to be under her lock.

5. The Chargesheet has been on 19.09.2024. The bail is sought on the ground that there is not a shred of physical evidence against her. She recently suffered a brain stroke and a minor heart condition. According to the Complainant the incident happened in his house despite which no material public witnesses have been cited. The Petitioner is, therefore, entitled to bail.

6. The Status Report has been filed on behalf of the Prosecution



who has submitted that on 24.06.2024 at about 2.30 AM a fight took place inside the house of the Complainant wherein Applicant along with other co-accused persons attacked and stole the precious articles and other household articles of the Complainant. Four persons suffered simple injuries and one person suffered grievous injury. The matter is now pending at the stage of Charge for 16.04.2025.

7. **Learned counsel for the Complainant** has vehemently contested the Bail Application on the ground that one person had suffered grievous injury as per the MLC. It is further argued that it is a serious case where the aggressors/accused persons had entered the house of the Complainant through a ladder at 2.30 AM i.e. middle of the night. It was a mob like situation wherein not only were the injuries inflicted but even the household articles were stolen.

8. **Submissions heard and record perused.**

9. As has been submitted the genesis of the dispute lies in the dispute in regard to the ownership of a property. There were 6 accused persons but there more than 5 injured persons/Complainant. While 4 persons suffered simple injuries, one injured, Sanjeev Kumar suffered grievous injury. However, as per the MLC, the injuries suffered were a bruise on right elbow of the right arm, contusion injury over left temporal area and edema. There is nothing reflected in the MLC on the basis of which the injury has been certified as grievous.

10. The Applicant is a 50 year old woman and is in judicial custody since 24.06.2024. The trial is likely to take long. Considering the totality of circumstances, the Applicant is admitted to Regular Bail, on



the following conditions:-

- a) The Applicant shall furnish a bail bond in the sum of Rs.25,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court;
 - b) The Applicant shall appear before the Court as and when the matter is taken up for hearing;
 - c) The Applicant shall provide mobile number to the IO concerned which shall be kept in working condition;
 - d) In case of change of the residential address, the same shall be intimated to this Court and in the Police Station, by the Applicant.
 - e) That the Applicant shall not threaten the witnesses or tamper the evidence.
11. A copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court, for compliance.
12. The Bail Application and pending Application are accordingly disposed of.

NEENA BANSAL KRISHNA, J

APRIL 17, 2025

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