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

+ **BAIL APPLN. 893/2025**

SANDEEP

.....Petitioner

Through: Mr. A.K. Danish, Mr. Ravinder
Kumar and Mr. Mohit Kumar, Advs.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Hitesh Wali, APP with S.I.
Priyanka, P.S. Shahdara, Delhi.
Ms. Aarti Singh and Mr. Sujeet
Kumar Singh and Mr. Amit Kumar
Sharma, Advs. for complainant.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

22.04.2025

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1. This is an application under Section 482 of BNSS, 2023 (Section 438 Cr. PC) for grant of anticipatory bail filed on behalf of the petitioner/accused Sandeep in case FIR No. 422/2024, under Section 420/448/467/468/120-B IPC, PS Shahdara.
2. As per allegations, petitioner/accused in collusion with co-accused Jitender Srivastava, had forged a security receipt amounting to Rs. 25 lakhs along with notary title documents pertaining to property in question and when the complainant came to know about the said forgery, he filed a complaint and on the basis of the said complaint, the present FIR was registered under Section 420/467/468/471/120-B & 448 IPC.
3. As per complainant, he had leased the property in question to the petitioner for the purpose of running a gym. Petitioner failed to make the



payment of monthly rent since March 2020. Complainant therefore filed a suit for possession and recovery of arrears of rent against the petitioner. In response to the said suit, petitioner filed the alleged forged receipt and possession letter dated 23.10.2020, alleging that the complainant had taken security of Rs. 25 lakhs against the property in question by forging his signatures after filing of the aforesaid suit. The suit was later withdrawn and complainant filed a commercial suit.

4. Learned counsel for the petitioner has submitted that the present FIR has been got registered just to create pressure upon the petitioner by the complainant. It is submitted that the dispute is civil in nature and that the complainant, in connivance with the police, has turned the civil matter into a criminal matter. It is argued that complainant in order to hide his own wrongs and save himself from returning the huge amount of Rs. 25 lakhs, has got the petitioner falsely implicated in the present case. He further submits that petitioner has already vacated the premises and handed over the possession to the complainant.

5. Bail application has been opposed by the learned Additional PP, duly supported by the learned counsel for the complainant, arguing that petitioner and co-accused Jitender filed a collusive suit with a pre-mediated plan to defraud the complainant by forging the documents and grabbing his property. It is argued that petitioner is not cooperating in the investigation and is required for recovery of the original forged security receipt.

6. In rebuttal, the learned counsel for the petitioner states that complainant only gave the photocopy of the receipt of Rs. 25 lakhs and that the original receipt is not in his power and possession.



7. Admittedly, there is a property dispute between the parties and they are litigating in the civil court for the same. It is also an admitted case that pursuant to the orders passed by the civil court, petitioner has handed over the possession of the property to the complainant. Petitioner himself has propounded the photocopy of the receipt and therefore he cannot dispute such a document, which is now in power and possession of the investigating agency. On being asked, Investigating Officer confirms that petitioner has already joined the investigation. The evidence is primarily documentary in nature.

8. In my view, no useful purpose would be served by sending the petitioner to custody. Having considered the entire facts and circumstances, in the light of submissions made, I deem it appropriate to direct that in the event of arrest, petitioner/accused be released on his furnishing personal bond in the sum of Rs. 30,000/- with a surety of the like amount to the satisfaction of Arresting Officer/Investigating Officer with condition that petitioner shall join the investigation as and when directed and shall not threaten or intimidate the witnesses and shall not try to tamper with the evidence.

9. Application is accordingly disposed of.

RAVINDER DUDEJA, J.

APRIL 22, 2025

RM