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

+ **BAIL APPLN. 925/2025**

ZUHEB ALI

.....Petitioner

Through: Mr. Mutiur Reman, Mr. Nadeem
Khan, Ms. Shaheen, Ms. Mehvish
Khanam and Ms. Arshi, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for State
with Insp.Suraj Pal, P.S.Bharat Nagar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

04.03.2025

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CRL.M.A. 6918/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

BAIL APPLN. 925/2025

1. Anticipatory Bail Application has been filed on behalf of the Applicant Zuheb Ali in FIR No.312/2018 dated 30.08.2018 under Sections 420/467/468/34 IPC, P.S.Bharat Nagar, North West Delhi, Delhi.
2. It is submitted that the Anticipatory Bail Application filed before the learned ASJ has been dismissed on 27.02.2025.
3. It is submitted that in 2015 Applicant's real uncle Imran Ali filed a complaint against him for allegedly using forged and fabricated documents to get a connection in Property bearing No.B-79,



G.T.Karnal Road Industrial Area, Delhi. It is asserted that no FIR was registered on his Complaint. Thereafter, he moved an Application under Section 156(3) Cr.P.C before the learned ACMM against the Applicant and officials of NDPL for the offence of forging the documents. The Application was allowed and FIR No.312/2018 dated 30.08.2018, P.S.Bharat Nagar, District-North West Delhi was registered against the Applicant.

4. It is submitted that as per the Complainant, Imran Ali, his mother Zubeda Begum was allottee of property bearing No.B-79, G.T.Karnal Road, Industrial Area, Delhi measuring 605 sq. yards in terms of registered Perpetual Lease dated 02.04.1975 as the sole proprietor of M/s. Galaxy Industries. She executed a registered Will dated 07.12.2007 thereby bequeathing all the rights in the immovable property in favour of her sons Mohd. Ali, Munavvar Ali, Dr. Javed Ali, Imran Ali and Zakia Begum, w/o Gulzar Ali in five equal shares.

5. The Complainant further alleged that Zuheb Ali, his father Mohd. Ali and officials of NDPL, Lawrence Road, Delhi had used forged and fabricated documents to get the electricity installed in the suit premises. It was claimed that Zuheb Ali had forged the signatures of the Complainant's mother late Smt. Zubeda Begum and prepared forged Agreement to Sell, Affidavit, GPA, receipts etc.

6. It is further submitted that certified copy of forged Will, Agreement to Sell dated 18.11.2008 and Agreement to Lease dated 07.12.2007 were sent for comparison and Expert Opinion to FSL, Rohini. Furthermore, Notary Public A.R.Nasir submitted his reply to Notice under Section 91 Cr.P.C that neither his signatures nor his



stamp appear on the documents. Thereafter, Zuheb Ali was called to join the investigations and to produce the original Will; however, in his Reply under Section 91 Cr.P.C, he had stated that he does not have the original documents.

7. The Applicant has asserted that he has been falsely implicated in this case as he had no concern with the documents. It is further asserted that he has no criminal antecedents. He has a lot of responsibility to maintain his family members and he is the sole bread earner of the family. He is willing to abide by any terms and conditions as may be imposed by the Court. There is no likelihood of his absconding from the justice. Hence the bail is sought.

8. **Learned Prosecutor states that though the Applicant** has joined the investigation many a times but he has intentionally not cooperated during the investigation and has failed to produce the original documents which are claimed to be forged. It is further submitted that the FSL report confirms that the documents submitted with NDPL were forged and fabricated.

9. The Anticipatory Bail is opposed on the ground that custodial interrogation is required for recovery of documents which have been used by him to grab the property in question after getting the Electricity Meter installed on the basis of forged documents.

10. **Submissions heard and record perused.**

11. Pertinently, it is an FIR registered on 30.08.2018. The Applicant has joined the investigations. The only ground on which essentially the bail is opposed is that his custodial interrogation is required for recovery of original documents. However, the Applicant



has already submitted in his response to Notice under Section 91 Cr.P.C that he is not in possession of the documents. Pertinently it is an FIR of 2018 but till date despite extensive interrogation and investigation, no Chargesheet has been filed in the Court till date. The learned Prosecutor on instructions submits that the Chargesheet shall be filed in about one week.

12. Considering that the investigations are almost complete and no custodial interrogation is warranted in the present circumstances, the Applicant 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.25,000/-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 evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.

13. The Petition stands disposed of in the above terms.



14. Copy of the Order be sent to the learned Trial Court for compliance.

NEENA BANSAL KRISHNA, J

MARCH 4, 2025

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