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

+ **BAIL APPLN. 2185/2025, CRL.M.A. 17771/2025**

AMEEN

.....Petitioner

Through: Mr. Lewish Edward and Mr. P.
Vignesh, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP with SI
Yogender Singh Distt. North East.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

10.07.2025

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1. A Bail Application under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Applicant/Petitioner Ameen for grant of Regular Bail in FIR No.306/2024 under Section 308/448/380/458/34/460/147/149/34 IPC registered at Police Station Harsh Vihar.

2. *Briefly stated*, the Petitioner/Applicant has submitted that he was arrested in this case on 24.06.2024. The Chargesheet has already been filed against the six accused including the Applicant on 20.09.2024, though the Charges are yet to be framed. There are 18 Prosecution witnesses to be examined which would take considerable time. There is no recovery of cash, ornaments or any other articles from the possession of the Applicant, which shows that he has been implicated falsely in this case. The MLC of



the injured was conducted at Guru Teg Bahadur Hospital and there is no opinion in the MLC that the injuries were sufficient to cause death.

3. The Bail Application filed before the learned ASJ has been dismissed vide Order dated 05.05.2025. The co-accused Meena Kumari @ Meena Thekdarni has already been granted Bail by this Court on 17.04.2025.

4. It is further submitted that the co-accused Azim Khan has also been granted Bail on 29.07.2024 by learned JMFC.

5. It is asserted that it is essentially a Civil dispute between Meena Kumari and the Complainant. False allegations have been made by the Complainant against the co-accused and the Applicant only with an intent to grab the property of Meena Kumari by forging documents of property, which is evident from the fact that though the property is situated in Delhi, the documents have been registered at Ghaziabad, Uttar Pradesh.

6. Reliance has been placed on Sanjay Chandra vs. Union of India & Ors. 2012 (1) SCC 40, wherein it had been observed that Bail is a rule and deprivation of liberty must be considered as a punishment which in fact commences only after conviction and till then every person is presumed to be innocent.

7. All the evidence in the present case is documentary which is already on record. There is no likelihood of the Applicant either tampering with the witnesses or fleeing from the process of the Court. A prayer is made that the Applicant/Petitioner be granted Bail.

8. A **Status Report** has been filed on behalf of the State, wherein it is submitted that essentially it is a property dispute between the Complainant and Meena Thekdarni. During the investigations, medical examination of three injured namely Sanjeev Kumar, Pankaj Kumar and Shubham was done



and it was found that they all had multiple injuries. The injuries of Sanjeev was certified to be grievous in nature. Further, allegedly the accused Meena Kumari had sold the property to the Complainant vide registered documents, which on verification have been found to be genuine.

9. The CCTV footage of crime scene were seized and analyzed, wherein the presence of the Applicant with a stick in his hand and beating the Complainant along with co-accused Asif, is clearly visible. Meena Thekdarni is also seen with the Applicant Ameen, Abid and Rashid Pehlwan. In the end, it is submitted that keeping the facts, circumstances and the involvement of the Applicant, the Bail be rejected.

10. Submissions heard and record perused.

11. As per the Complainant Jitender Singh, he had purchased a plot measuring 220 sq. yards which is part of Khasra No.543 situated in the Abadi of opposite Mata Mandir, Mandoli village on 01.09.2022 from Meena Thekdarni for a sale consideration of Res.36 lakhs. Thereafter, he had started residing in the property.

12. On 24.06.2026 at about 02:30 A.M Sanjeev younger brother of the Complainant who along with his family was present in his house, which is across the street, heard the voices of neighbours who were shouting. He found that a ladder had been placed on the wall of his house and a quarrel was going on inside his house. It was found that the Applicant Ameen and other co-accused persons were beating Sanjeev and his family. On seeing this, the Complainant intervened and they all started beating him and his family members.

13. Thereafter, Meena Thekdarni along with the Applicant and her accomplices drove out the Complainant and his family from the house.



They also stole precious articles like gold and silver and other household articles. The CCTV cameras installed in the property were broken. The Police was called and the FIR was registered.

14. From the Complaint and the investigations carried out, it is evident that the genesis of a dispute lies in the alleged purchase of property in question by the Complainant in which apparently the main accused Meena Kumari along with her accomplices, had taken possession. When the same was resisted by the Complainant and his family members, a quarrel took place in which they all sustained injuries.

15. As per the MLC, though injuries of Sanjeev Kumar are certified as grievous, but the injuries described are bruise on right elbow, contusion injury over left temporal area and edema. There is nothing reflected in the MLC to show that the injuries suffered were grievous in nature. The other two injured also suffered simple injuries.

16. The Applicant is in Judicial Custody for almost one year. The Chargesheet already stands filed. There are 18 Prosecution witnesses. The Charges are yet to be framed and the trial is likely to take long. In the aforesaid circumstances, the Applicant Ameen is admitted to Regular bail, on the following conditions:

- a) The petitioner/accused shall furnish a personal bond of Rs.25,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The petitioner/accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The petitioner/accused shall provide his mobile number/changed mobile number to the IO concerned which shall be



kept in working condition at all times;

d) The petitioner/accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.

e) In case the petitioner/accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

17. The copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court.

18. The above Bail Application along with pending Application(s) is accordingly disposed of.

NEENA BANSAL KRISHNA, J,

JULY 10, 2025

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