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

+ **BAIL APPLN. 2192/2025**

SHRI RAJ KUMAR

.....Petitioner

Through: Mr. Abhishek Kaushik, Advocate

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for State
with Mr. Naresh Kumar Dagar, Mr.
Vineet Awana, Mr. Sunil Singh
Rawat, Advocates along with SI
Jitendra Yadav, PS Mohan Garden

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.09.2025

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1. The present application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 438 of the Code of Criminal Procedure, 1973²) seeks pre-arrest bail in proceedings arising from FIR No. 128/2025 registered under Sections 318(4), 338, 336(3), 340 (2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023³ at P.S. Mohan Garden.

2. The prosecution alleges that Applicant Raj Kumar forged and fabricated property documents to create false title over a plot of land at Bhagwati Garden Extension, Uttam Nagar. He purported to execute documents in 2002 showing transfer of the property from Balbir Singh, who

¹ "BNSS"

² "Cr.P.C."

³ "BNS"



is not the real owner of the property and has categorically denied ever selling the plot or signing such papers. On the basis of these forged papers, Raj Kumar went on to deal with the land, resulting in its sale to Ran Singh and thereafter to Kumari Anita, wife of the complainant Arvind Kumar, in 2008. Subsequent verification from the concerned notaries confirmed that the GPA and related papers relied upon by the Applicant were fabricated and not entered in the notarial registers. Both Balbir Singh and Randhir Singh, the true owner, have denied executing the foundational documents, thereby implicating Raj Kumar in forging title papers and cheating the complainant.

3. Pursuant to directions issued by this Court on the previous date, the Applicant has joined the investigation. Counsel for the Applicant submits that the Applicant is cooperating with the Investigating Officer and undertakes to continue doing so.

4. Mr. Mukesh Kumar, APP for the state, opposes the application and submits that custodial interrogation of the Applicant is required, primarily to recover the original property documents executed between Balbir Singh and the Applicant, Raj Kumar. He submits that the Applicant is involved in the creation of forged and fabricated documents, including signatures falsely attributed to Balbir Singh, in order to create a false chain of title. As per the State's case, the actual owner of the land in question is Randhir Singh, and not Balbir Singh, and the Applicant had no legal authority to deal with or transfer the property.

5. The Court has considered the rival submissions and the material placed on record. The offence alleged is primarily documentary in nature, involving the forgery and fabrication of property documents dating back to



2002. It is not disputed that the Applicant has now joined the investigation, and has undertaken to continue cooperating with the IO.

6. Accordingly, considering the overall facts and circumstances of the case, the present application is disposed of with the direction that the Applicant, in the event of arrest, is directed to be released on bail on furnishing a bail bond for a sum of INR 25,000/- with two sureties of the like amount subject to the satisfaction of the concerned SHO, on the following conditions:

- (i) The Applicant shall join investigation, as and when called by the Investigating Officer and shall co-operate during the investigations.
- (ii) The Applicant shall furnish his phone 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.
- (iii) The Applicant shall not leave the boundaries of the country without informing the IO/SHO concerned;
- (iv) The Applicant 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 Applicant 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.

7. In the event of there being any FIR/DD entry / complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

8. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence



the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

9. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

SEPTEMBER 23, 2025/ab