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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 3289/2023 & CRL.M.A. 26484/2023 INTERIM
ANTICIPATORY BAIL

RAJESH CHAUHANPetitioner
Through: Mr. Manish Shanker Srivastava,
Advocate
versus

STATE OF GOVERNMENT OF NCT OF DELHI THROUGH
HOME SECRETARY & ANR.Respondents
Through: Mr. Aman Usman, APP with SI
Mukesh Chauhan, P.S.EOW.

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **02.09.2025**

1. This is an application under Section 438 Cr.P.C filed by the applicant/accused for grant of anticipatory bail in case FIR No. 151/2020 under Section 406/420/467/468/471/120B IPC registered at P.S.EOW.
2. As per allegations, the accused company named M/s Janak Medicos through its Directors namely Ravi Pal Udar and Rachna Udar obtained a loan of Rs.4.97 crores from the complainant company and for the said purpose mortgaged a property measuring 555.56 sq. yds to the complainant.
3. The borrowers failed to deliver on their financial commitments. The loan was declared NPA in 2019. The complainant approached the court for exercising its power under Section 14 of the SARFAESI, 2002 and for taking possession of the mortgaged property.
4. The possession could not be delivered because the property was



already under attachments by the order of CBI court by order dated 03.09.2012 under the Prevention of Corruption Act i.e much before the loan transaction.

5. As per the status report, multiple litigations were going on between the legal heirs with regard to the ownership of the aforesaid property and it was found that petitioner had sold the aforesaid property to the borrower Ravi Pal Udar on the basis of the Gift Deed executed by his grand-father in his favour.

6. The chain of documents of mortgaged property was sent to Indian Security Press, Nasik, Maharashtra for examination. The report revealed that stamp papers used in the preparation of the sale deed executed by Mr. O.S.Chauhan in the name of his father Sh. Ridh Karan Singh and the Gift Deed on the basis of which petitioner sold the property in question to Ravi Pal Udar were executed before the printing date of the stamp papers. Hence the documents were found to be forged.

7. Learned counsel for the petitioner submits that petitioner obtained the original Gift Deed dated 15.04.1982 from his father in the year 2014-15 and on the basis of the said Gift Deed, he executed registered sale deed on 25.10.2017 in favour of co-accused.

8. It is submitted that co-accused persons obtained the loan from the complainant company without there being any involvement of the petitioner. No specific role has been ascribed to the present petitioner. He is not the borrower of the loan amount.

9. It is further submitted that investigation is continuing from October 2020 and petitioner received the notice for the first time on 20.09.2023. He has already joined the investigation several times and is not required for



further investigation.

10. Learned APP, as per instructions received from the Investigating Officer, states that petitioner has already joined investigation several times and therefore not required for any further interrogation/custodial interrogation and has no objection to the grant of anticipatory bail to the petitioner.

11. Admittedly, the evidence is documentary in nature and in custody of the investigating agency. Petitioner is not required for custodial interrogation/investigation.

12. Hence, considering the totality of facts and circumstances and the statement made by learned APP, the application is allowed with direction that in the event of arrest, the petitioner/accused be released on bail on his furnishing personal bon in the sum of Rs.20,000/- with a surety in the like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO concerned with direction that he shall fully cooperate in the investigation and shall not tamper with the evidence.

13. The application accordingly stands disposed of.

RAVINDER DUDEJA, J

SEPTEMBER 2, 2025/ib