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

+ **BAIL APPLN. 2621/2025**

BRAHAM SINGH

.....Petitioner

Through: Mr. Akshay Kumar, Ms. Shivani Bainsla, Mr. Anand Prakash Sharma, Mr. C.P. Nautiyal, Mr. Sahil Sharma, Ms. Tanvi Jain, Mr. Tushar Singh, Mr. Ramit Panwar and Mr. Avin Kumar, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

18.08.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 139/2018, registered at Police Station Kashmere Gate, Delhi, for the offences punishable under Sections 420/468/471/364A/120-B of the Indian Penal Code, 1860 (hereafter 'IPC').

2. The present case was registered at P.S. Kashmere Gate, Delhi on 13.04.2018 pursuant to the directions of the learned MM, Tis Hazari Courts, under Section 156(3) of Cr.P.C. The complainant Narendra, alleged that accused Yogender Singh along with his associates Neeraj, Rishiraj, Virender, Vijay Gautam, Ram Kumar, and Brahm Singh had conspired to cheat him. It is alleged that on 09.05.2013, accused Brahm Singh executed a registered Agreement to Sell in respect of a plot in Khasra No.1206,



followed by a Sale Deed dated 01.12.2015 in favour of the complainant, for which he received ₹4,55,300/- in the presence of other accused. Later, the complainant discovered from a report of the Tehsildar dated 18.08.2016 that the said land (Khasra No.1206) had already been acquired by UPSIDC in 2006, rendering the sale void. When the complainant demanded a refund, on 18.12.2016, the accused persons lured him to Ritz Cinema, Kashmere Gate, forcibly confined him in an SUV, and took him to village Chithera. There he was beaten by accused Vijay Gautam and Rishiraj with a rifle and pistol butt. The complainant was released only after arranging ₹5,00,000/- through his friend Malu, who handed over the money to the accused. The complainant later sought treatment at a government health centre in Baghpat, Uttar Pradesh. Investigation revealed that instead of Khasra No.1206, the Agreement to Sell and Sale Deed were deliberately executed in respect of Khasra No.1269 to deceive the complainant. Medical records and documents were verified, and the complainant's version was corroborated by witness Malu.

3. During investigation, accused Yogender Singh, Neeraj, and Rishiraj were arrested on 10.06.2018 and accused Virender on 30.08.2018. The complainant identified them during interrogation. On 17.09.2018, the present applicant Brahm Singh and co-accused Ram Kumar were declared Proclaimed Offenders. The present applicant Brahm Singh subsequently surrendered before the Court on 11.12.2023 and was remanded to judicial custody.

4. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case, and has been in judicial custody for last more than 1½ years. It is argued that charge-sheet has already been filed in the present case and the trial is likely to take some time. It is further argued that the present case is purely based on the



documentary evidence and no custodial interrogation of the applicant is now required. It is thus prayed that the applicant be granted bail.

5. The learned APP for the State, on the other hand, argues that the allegations against the present applicant are serious in nature, having been actively involved in the commission of the offence in question. It is further submitted that the applicant was arrested after being declared a proclaimed offender. It is accordingly prayed that the present bail application of the applicant be dismissed.

6. After hearing arguments and perusing the material on record, this Court is of the opinion that four co-accused(s) have already been granted bail by the learned Trial Court. Further, co-accused Yogender and Neeraj were granted bail by observing that *“that there is considerable delay at every stage and complainant has not filed complaint of any nature within reasonable time. The version put forth by the complainant does not seem to be truthful. The nature of facts and circumstances indicate that complaint filed by the complainant is motivated and might have been filed out of rivalry”*.

7. The present accused had been declared a proclaimed offender in the year 2018 and he had later surrendered in the year 2023. He has been in judicial custody for more than 1 year and 08 months, trial will take time to conclude, while the other co-accused with similar or graver role have been granted bail. Thus, considering the overall facts and circumstances of the case, this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount, which shall be subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned. Further it is directed that:



- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court;
 - ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned;
 - iii) The applicant shall appear regularly before the learned Trial Court, unless exempted;
 - iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
8. Accordingly, the present bail application stands allowed and is disposed of.
9. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.
10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 18, 2025/A