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

+ **BAIL APPLN. 3808/2025**

SARMAD

.....Petitioner

Through: Mr. Amarendra Chaubey, Mr. Aniket Singh, Mr. Vinay Sharma & Ms. Durga Dutt, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for the State with Insp. Sunil Kumar.
Mr. Aashish Chojar & Ms. Alka Chojar, Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

13.10.2025

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1. The applicant herein is before this Court seeking Anticipatory Bail arising out of FIR No. 339/2025 under Sections 420/34 of IPC dated 27.05.2025 registered at Police Station Subhash Place, Delhi.
2. Prosecution case is that the aforesaid FIR was registered pursuant to the directions of the competent Court on a complaint filed under Section 156(3) Cr.P.C. by one Rishipal Bansal. In his complaint, he alleged that in May 2024, Jitender Kumar Raina (Accused No. 3) and Md. Sarmad (Accused No. 1) approached him at his residence situated at Flat No. A-3/19, Jeewan Jyoti Apartment, Pitampura, Delhi, and offered him a deal for 20 bighas of land located at Village Khatakhedi, Roorkee, which was stated



to be owned solely by Md. Sarmad.

2.1 It was alleged that due to urgent financial need, Sarmad had sold this land at a low price to Mukesh L. Bellani (Accused No. 2 / present petitioner), who failed to make the balance payment. Sarmad and Raina requested the complainant to purchase the land from Bellani, assuring him that a ready buyer was available who could purchase the same property at a higher rate, and that they did not want Bellani to profit from it.

2.2 Thereafter, a deal was finalized between the complainant and accused Mukesh L. Bellani (petitioner) at the rate of Rs. 55,51,000/- per bigha, amounting to a total consideration of Rs. 11,10,20,000/-. Subsequently, accused Sarmad and Raina arranged a meeting between the complainant and Bal Mukund Paswan @ Mukund Paswan (Accused No. 4). A fresh deal was finalized with Paswan at Rs. 72,51,000/- per bigha, totaling Rs. 14,50,20,000/-. At that time, Paswan paid Rs. 5 lakh as token money/advance, and an Agreement to Sell dated 11.06.2024 was executed between the complainant and accused Mukesh L. Bellani, with accused Sarmad and Raina signing as witnesses. In pursuance of the said agreement, the complainant transferred Rs. 25 lakh to the bank account of accused Sarmad and paid Rs. 85 lakh in cash jointly to accused Bellani and Sarmad. After execution of all documents, the complainant asked accused Sarmad and Raina to arrange a meeting with the prospective buyer, Paswan. However, they kept delaying the meeting on one pretext or another, giving false assurances, and eventually informed the complainant that Paswan had backed out of the deal. Consequently, on the directions of the Hon'ble Court, an FIR was registered at PS Subhash Place.

2.3 The case was subsequently transferred to DIU/North West District for



further investigation. During investigation, certified copies of PIQ were obtained from the offices of the Sub-Registrar and Tehsildar, Roorkee, Uttarakhand. The notarized Agreement to Sell, receipts, receipt-cum-agreement, and Ikrarnama were verified from the concerned notaries, who confirmed their genuineness, and their statements were recorded under Section 180 BNSS.

2.4 During the course of investigation, notices under Section 41A Cr.P.C. were issued to accused Mukesh L. Bellani (petitioner) and accused Md. Sarmad, but both failed to join the investigation. The anticipatory bail application of accused Mukesh L. Bellani was dismissed on 27.06.2025 by the Sessions Court, Rohini, Delhi. Thereafter, Non-Bailable Warrants were obtained against accused Md. Sarmad and accused Mukesh L. Bellani till 28.08.2025, and production warrants were issued for accused Bal Mukund Paswan @ Bamukund Parsadi Paswan (Accused No. 4), who is currently in judicial custody at Hotwar Jail, Ranchi, Jharkhand, in connection with FIR No. 286/2022 dated 22.08.2022, under Sections 406/420/467/468/471/34 IPC at PS Argora, Ranchi, Jharkhand.

2.5 A search for accused Mukesh L. Bellani was conducted at his residential address, T-14, Sudama Nagar, Warsiya Colony, Vadodara, Gujarat, but he was not found residing there. His father, mother, and younger brother were present and stated that he does not reside at the said address and is not in their contact.

2.6 During investigation, it further emerged that accused Mukesh L. Bellani, Md. Sarmad, and Bal Mukund Paswan are habitual and professional cheats who have committed similar acts of cheating across India using the same property details (PIQ) and similar modus operandi. They have



allegedly defrauded multiple victims nationwide in the same manner and are involved in several other criminal cases.

3. In light of the above, learned counsel for the applicant argues that the petitioner is a peace-loving and law-abiding citizen of India, belonging to a respectable but a poor family with deep roots in society. He is a permanent resident of the address mentioned in the petition and there is no likelihood of his absconding or avoiding trial.

3.1 There has been an undue delay in the registration of the FIR, which was lodged nearly one year after the alleged incident. The petitioner contends that the FIR was filed maliciously to avoid legal action that he had initiated against the complainant through a prior complaint submitted to the SHO, P.S. Subhash Place.

3.2 The learned Additional Sessions Judge committed a serious error in rejecting the petitioner's anticipatory bail merely on the ground that the allegations are serious in nature. The petitioner is not required for any recovery, and his arrest would serve no useful purpose in what he maintains is a false and fabricated case. Moreover, the learned Judge failed to consider that the dispute pertains solely to documents and that not a single penny was ever transferred into the petitioner's bank account.

3.3 The petitioner is willing to furnish sound and adequate surety to the satisfaction of the learned Trial Court and undertakes to cooperate fully with the investigation and appear whenever directed by the investigating agency. He apprehends imminent arrest by police officials of P.S. Subhash Place and fears that, if arrested, he will be harassed, tortured, and humiliated by the concerned officials.

4. Heard and perused the case file including order passed by learned



Session Judge rejecting the earlier anticipatory bail of the applicant.

5. In fact, bail application of a co-accused arising out of same FIR (also listed today i.e. in Bail Application No. 2697/2025, along with instant application) was earlier heard by me on 08.08.2025 when the following order was passed:

1. *“Learned counsel for the applicant would, inter alia, contend that it is an outright civil dispute between the parties arising out of default in performance of the contractual obligations as per the agreement dated 11.06.2024. He would submit that the applicant has been throughout willing and available to perform his part of the agreement upon payment of the balance of the consideration and, in fact, shoe is on the other foot, inasmuch, as the complainant could not muster the balance of consideration and to keep the pot boiling by creating a cloud on the title. He has filed a false complaint before the Police which resulted in the FIR so as to not let the applicant sell his property.*
2. *Per contra, learned APP would strongly oppose the aforesaid submissions stating that they are highly misleading inasmuch as preliminary enquiry has revealed that the applicant did not even have the title qua the property in question and yet he induced the complainant to part payment of about rupees one crore and ten lakhs.*
3. *Be that as it may, the applicant is directed to join the investigation and handover all the title papers (original thereof) to the I.O. The I.O. shall get those documents verified qua the claim of the applicant being the owner of the property and file a supplement report on the next date of hearing.*
4. *List on 13.10.2025.*
5. *Till then, no coercive steps shall be taken.”*

6. *Apropos, a Status Report dated 01.08.2025 has been filed in Bail Application No. 2697/2025 qua the FIR in question, wherein it is stated that during the course of investigation that accused persons i.e. Mukesh L. Bellani (applicant in Bail Application No. 2697/2025), Md. Sarmad (applicant in Bail Application No. 3808/2025), and Bal Mukund Paswan (non-applicant), are professional and habitual offenders engaged in cheating activities. The prosecution alleges that these individuals have carried out*



similar acts of cheating across various parts of India, using the same Property Information Query (PIQ) and other properties to defraud multiple victims through an identical modus operandi.

7. Report reveals that all three of the above-named accused persons are allegedly involved in several other criminal cases of a similar nature. A summary of the FIRs registered against them/their conspirators is provided in the chart below :-

S.NO	FIR DETAIL	BRIEF FACTS	PROPERTY	ACCUSED' S
1.	FIR NO: 1-32/1995, P.S.D.C.B,(DETECTION CRIME BRANCH) VADODRA, GUJRAT	FIR COPY ENCLOSED		BAL MUKUND PASWAN
2.	FIR NO: 06/2002, P.S. D.C.B, (DETECTION CRIME BRANCH) VADODRA, GUJRAT, U/S 420, 379,467,468,465,114 IPC	FIR COPY ENCLOSED		BAL MUKUND PASWAN
3.	FIR NO: 74/2010, P.S. DHROL, JAMNAGAR, GUJRAT U/S 419, 420, 120-B IPC	FIR COPY ENCLOSED		BAL MUKUND PASWAN
4.	FIR NO: 1-75/2011, P.S. KADODARA GIDC, SURAT, GUJRAT U/S 406, 420,170,114 IPC	ON BAIL VIDE ORDER DATED: 03-02-2012 FROM GUJRAT HIGH COURT		BAL MUKUND PASWAN
5.	FIR NO: 1-0055/2014, P.S. DHANDHUKA, AHEMDABAD, GUJRAT U/S 120-B, 406, 420, 465, 467, 468, 471, 511 IPC	Copy of Dossier Enclosed		BAL MUKUND PASWAN
6.	FIR NO: 162/2017, P.S. SADAR KULLU,	Complainant Sanjay Kumar	15 BIGHA LAND OUT	SARMAD, PANKAJ,



	<i>DISTT. KULLU, HIMACHAL PRADESH U/S 420,120</i>	<i>cheated on same PIQ with same modus operandi as in present FIR</i>	<i>OF KHASRA NO: 632, VILLAGE KHATAKHE RI, ROORKEE, HARIDWAR</i>	<i>KASHMIRI DEVI</i>
7.	<i>FIR WITH C.R. NO: 1- 62/2019, P.S. KARELIBAG, DISTT. VADODRA CITY, GUJRAT U/S 406, 420, 114 IPC</i>	<i>MUKESH L. BELLANI ARRESTED BY DETECTION CRIME BRANCH (DCB), VADODARA as he lured and promised the complainant to give extra in money in exchange of original notes</i>	<i>8 LAKHS FAKE CURRENCY NOTES</i>	<i>MUKESH L. BELLANI</i>
8.	<i>FIR NO: 884/2021, DATED: 24-09-2021 P.S. MASURI, GHAZIABAD, UTTAR PRADESH U/S 406,420 IPC</i>	<i>Complainant Manoj J Buradkar cheated with same sa modus operandi as in present FIR</i>	<i>VILLAGE DASNA, GAZIABAD, U.P</i>	<i>BAL MUKUND PASWAN, KHURAM KHAN, SANDEEP KARNIK, AADIL, JAVED ANSARI, SHARMA, MUNSHID ALI</i>
9.	<i>FIR No. 286/2022, DATED: 22-08-2022, U/S 406,420,467,468,471,34 IPC, P.S. ARGORE, RANCHI, JHARKHAND</i>	<i>Complainant Nagender Prasad Saini cheated with same modus operandi as in present FIR</i>	<i>25 BIGHA LAND, VILLAGE SARCHANDI , PARGANA, BHAGWANP UR, HARIDWAR, UTTRAKHA ND</i>	<i>BAL MUKUND PASWAN & Ors</i>
10.	<i>FIR NO: 353/2022, Dt. 04.07.2022, P.S.</i>	<i>Complainant Jins Mathyu same PIQ</i>	<i>20 BIGHA LAND OUT</i>	<i>SARMAD, BAL</i>



	<i>JHABRERA, DISTT. HARIDWAR, UTTRAKHAND U/S 420,467,468,120-B IPC</i>	<i>with same cheated on operandi as modus in present FIR</i>	<i>OF KHASRA NO: 632, VILLAGE KHATAKHE RI, ROORKEE, HARIDWAR</i>	<i>MUKUND PASWAN, BILAL KHAN, SALMAN</i>
11.	<i>FIR NO: 127/2023, DATED: 22-03-2023 P.S. RAMNAGRIYA, JAIPUR, RAJASTHAN U/S 420,406,467,468,120-B IPC</i>	<i>Complainant Nitin Pandey cheated with same modus operandi as in present FIR</i>	<i>SABRI RAJVI GUEST HOUSE, PIRAN KALIYAR, ROORKEE, HARIDWAR, UUTRAKHAND</i>	<i>BAL MUKUND PASWAN, HASAN ALI, AFTAB, MOH. ALAM, SAJJAD GULAM, RAM KHURRAM, FARMAN ALI</i>
12.	<i>FIR NO: 346/2024, P.S. DEVBHOG, CHATTISHGARH U/S GARIYABAD, 420,34 IPC</i>	<i>Complainant Yogender Kumar Bhagel cheated with same modus operandi as in present FIR</i>	<i>35 BIGHA LAND OUT OF KHASRA NO: 216, 235, 37, 194, VILLAGE BASI, PARGANA GANGOH, NUKUD, SAHARNPUR, U.P</i>	<i>MUKESH L. BELLANI, Kamal Bhagel</i>
13	<i>FIR No. 0152/2024, P.S. NAKUR, DISTT. SAHARANPUR, U.P. U/S 420,406,120-B IPC</i>	<i>Complainant Veer Singh Chauhan cheated with same modus operandi as in present FIR</i>	<i>35 BIGHA LAND OUT OF Khatoni no: 57, 186, 160, 157, 200 KHASRA NO: 274, VILLAGE TIDOLLY PARGANA, NUKUR, SAHARNPUR, U.P.</i>	<i>MUKESH L. BELLANI</i>



14.	<i>FIR No. 238/2024, U/S 420,406,467,468,471,34 IPC, P.S. ARGORE, RANCHI, JHARKHAND</i>	<i>Complainant Md. Nijamuddeen cheated with same modus operandi as in present FIR</i>	<i>09 BIGHA, 19 BISWA LAND OUT OF KHATA NO: 00479, PLOT NO: 10, VILLAGE PANIYALA CHANDAPU R, ROORKEE, HARIDWAR</i>	<i>BAL MUKUND PASWAN & Ors</i>
15.	<i>FIR NO: 339/2025, P.S. SUBHASH PLACE, DELHI U/S 420/406/120B IPC/34</i>	<i>Present FIR</i>	<i>20 BIGHA LAND OUT OF KHASRA NO: 632, VILLAGE KHATAKHE RI, ROORKEE, HARIDWAR</i>	<i>SARMAD, MUKESH L. BELLANI, JITENDER KUMAR RAINA, BAL MUKUND PASWAN</i>

8. As per the table reproduced hereinabove, the applicant herein has been specifically named in 3 cases, bearing FIR Nos. 162/2019, 353/2022, 0152/2024 and the present FIR No. 339/2025. There are 2 other cases, bearing FIR Nos. 286/2022 and 238/2024, wherein though the applicant is not specifically named but is otherwise implicated.

9. In view of the aforesaid antecedents of the applicant, I see no grounds to interfere.

10. Dismissed.

ARUN MONGA, J

OCTOBER 13, 2025/nk/rs