



2025:DHC:10658



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: November 26, 2025

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BAIL APPLN. 3886/2025, CRL.M.A. 30275/2025 & CRL.M.(BAIL) 2115/2025**DEEPAK KUMAR**

.....Applicant

Through: Mr. Maninder Singh, Sr.
Adv. with Ms. Sanjana
Nair, Ms. Janvi Narang,
Dr. A. Kaur, Ms.
Aishwarya Rao, Mr. Sumit
Jain, Ms. Venika & Ms.
Mansi Rao, Advs.

versus

**STATE GOVERNMENT OF NCT
OF DELHI**

.....Respondent

Through: Mr. Ritesh Kumar Bahri,
APP for the State with Ms.
Divya Yadav, Adv.
SI Deshpal, PS- EOW
Mr. Amit Saxena, Mr.
Anil Kumar Singh & Mr.
Viksit Kumar, Advs. for
complainant

CORAM:**HON'BLE MR. JUSTICE AMIT MAHAJAN****AMIT MAHAJAN, J. (Oral)**

1. The present application is filed seeking regular bail in FIR No. 128/2022 dated 31.08.2022, registered at Police Station Economic Offences Wing for the offences under Sections 420/467/468/471/120B of the Indian Penal Code, 1860 ('IPC').

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2. Briefly stated, the FIR was registered on a complaint given by one Rohitshave Kumar/complainant (father of the applicant) thereby alleging that he is the owner of the property bearing No. 1/4417, Ram Nagar Extension, Main Mandoli Road, Shahdara, Delhi (hereafter '**subject property**'). It is alleged that officials from ICICI bank had visited the complainant on the said property and enquired about one person namely, Mr. Amrit Mann, who had taken a loan on the said property and had defaulted in paying the loan instalments.

3. It is alleged that thereafter, the complainant learnt that the Mr. Gyaneshwar Sharma (father-in-law of the applicant) in connivance with other persons had prepared a forged will and sold the property to Mr. Amrit Mann *vide* registered sale deed dated 30.01.2019. It is alleged that, on the basis of the said deed, co-accused Amrit Mann availed two loans aggregating to a sum of ₹4.28 crores from ICICI Bank Gurugram in 2019. Applicant is the son of the complainant.

4. During the course of investigation, it transpired that co-accused Amrit Mann who had mortgaged the said property on the basis of forged documents had absconded, and was also declared an absconder *vide* order dated 12.10.2023.

5. During the course of further investigation, it was also revealed that Mr. Gyaneshwar Sharma (who passed away on 09.04.2020) unlawfully executed 4 gift deeds in respect of the subject property out of which 3 gift deeds (in respect of the ground floor, first floor and second floor of the subject property) were

executed in favour of co-accused Amrit Mann and 1 gift deed (in



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respect of the basement of the subject property) was executed in favour of co-accused Vandana Sharma (wife of the applicant). It is alleged that co-accused Vandana Sharma signed the above 03 sale deeds as a witness in favour of co-accused Amrit Mann despite having knowledge that the same had been executed on the basis of forged documents and despite knowing that the properties belonged to her father-in-law/complainant.

6. The case of the prosecution is that the money was thereafter siphoned off to the bank accounts of M/s Spring Leaf Biotech (partnership of Manjula and her sister/co-accused Vandana Sharma) and M/s Oxyflora (sole proprietorship of co-accused Vandana Sharma). Further, during the course of investigation, it was found that a sum of ₹1,25,00,000/- had been transferred to the account of Spring Leaf Biotech from the bank account of co-accused Amrit Mann. It is alleged that thereafter accused Ms. Vandana Sharma had transferred an amount of ₹11,00,000/- into the bank account of the applicant.

7. It is alleged that during the course of investigation accused Ms. Vandana Sharma was arrested on 20.11.2024, notices were issued to Manjula and the applicant, however, they did not join investigation.

8. It is alleged that on 14.08.2025 NBWs were issued against the Manjula and the applicant, whereafter the applicant was arrested on 08.09.2025.

9. The learned Senior Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present



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He submits that the allegation against the applicant is only that he received a sum of ₹11,00,000/- which does not suffice to establish that the applicant was involved in the commission of the alleged offence. He submits that the said sum has also been returned prior to the registration of the FIR. He submits that the applicant has no role to play in the present offence and was neither a signatory nor a witness to the alleged forged documents. He submits that the applicant was arrested way back on 08.09.2025 and the supplementary chargesheet is yet to be filed. He consequently submits that the applicant be enlarged on bail.

10. *Per contra*, the learned Additional Public Prosecutor for the State and the learned counsel for the complainant vehemently oppose the grant of any relief to the applicant. They submit that the applicant received a sum of ₹11,00,000/- from the account of his wife/co-accused Vandana Sharma.

11. I have heard the counsel and perused the record.

12. The Hon'ble Apex Court in catena of judgments has consistently emphasized the factors to be taken into account when considering bail application, which include: (i) the nature or gravity of the offense; (ii) the character of the evidence and circumstances unique to the accused; (iii) the likelihood of the accused evading justice; (iv) the potential impact of the release on prosecution witnesses and its societal repercussions; and (v) the probability of the accused engaging in tampering.

13. In the present case, it is the case of the prosecution that Mr. Gyaneshwar Sharma (applicant's father-in-law) prepared a

forged will in respect of the property belonging to the applicant's

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father and sold it to co-accused Amrit Mann. It is further the case of the prosecution that Mr. Gyaneshwar Sharma unlawfully executed 4 deeds in respect of the subject property out of which 3 gift deeds (in respect of the ground floor, first floor and second floor of the subject property) were executed in favour of co-accused Amrit Mann and 1 gift deed (in respect of the basement of the subject property) was executed in favour of the applicant's wife. It is alleged that the thereafter the siphoned money was transferred to the bank accounts of M/s Spring Leaf Biotech (partnership of Manjula and applicant's wife/co-accused Vandana Sharma) and M/s Oxyflora (sole proprietorship of co-accused Vandana Sharma).

14. It is pertinent to note that the allegation against the applicant, at this stage, is only that he received a sum of ₹11,00,000/- from his wife/co-accused Vandana Singh and no other allegation pertaining to the involvement of the applicant in the alleged forgery has been levelled at this stage. The learned counsel for the applicant has emphasized that the said amount has already been returned.

15. Whether the applicant was complicit in the commission of the alleged offence or not or whether such amount has been returned are in the nature of defence and can only be ascertained once the evidence is led. However, at this stage, merely because the applicant received a sum of ₹11,00,000/- from his wife does not suffice to deny the relief of bail to the applicant.

16. Undisputedly, the applicant did not stand as a witness to



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cheating in any event made against Mr. Gyaneshwar Sharma (father-in-law of the applicant) and accused Amrit Mann.

17. It is also the case of the applicant that the other family members have connived together to falsely implicate him which has led to his own father filing a complaint. This Court, however, does not consider it apposite to comment on that aspect at this stage.

18. It is pertinent to note that a Co-ordinate Bench of this Court has already admitted co-accused Vandana Sharma on regular bail by order dated 20.05.2025. The allegations against the applicant are not graver than that of co-accused Vandana Sharma.

19. It is relevant to note that the applicant was arrested way back on 08.09.2025, and has spent substantial time in custody. The object of jail is to secure the appearance of the accused during the trial. The object is neither punitive nor preventive and the deprivation of liberty has been considered as a punishment.

20. In view of the aforesaid, this Court is of the opinion that the applicant has made out a *prima facie* case for grant of bail.

21. The applicant is, therefore, directed to be released on bail (if not in custody in any other case) on furnishing a personal bond for a sum of ₹20,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted

with the facts of the case or tamper with the evidence of

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the case, in any manner whatsoever;

- b. The applicant shall under no circumstance leave the country without the permission of the Trial Court;
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. The applicant shall provide the address where he would be residing after his release to the concerned IO/SHO and he shall not change the address without informing the concerned IO/SHO;
- e. The applicant shall, upon his release, give his mobile number to the concerned IO and shall keep his mobile phone switched on at all times.

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

29. 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.

30. The present bail application is allowed in the aforementioned terms.

31. All pending applications, if any, also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 26, 2025/“SS”

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