



2025:DHC:11273



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

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Date of Decision: 12th December, 2025+ **BAIL APPLN. 4791/2025**

PRAKASH KUMAR GAUTAM

.....Petitioner

Through: Mr. Bibek Tripathi, Mr.
Ajay Kr. Shrivastava, Mr.
Manoj Kr. and Mr.
Sudhakar Tiwari, Advs.

versus

STATE OF GNCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP
for the State with SI Vivek
Kumar, PS GK-I.

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

1. By the present bail application, the applicant seeks regular bail in FIR No. 320/2023 dated 25.12.2023, registered at Police Station Greater Kailash, for offences under Sections 419/420/448/465/467/468/471/120B of the Indian Penal Code, 1860.

2. The FIR was registered essentially on an allegation that the accused Sonia Jain in connivance with other accused persons had forged the Sale Deed dated 08.04.2022 in her favour and tried to acquire the title and possession of the property bearing No. R/287, Greater Kailash-I, New Delhi (hereafter '**the property**').

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Signed By: DEEPA ANSHU **BAIL APPLN. 4791/2025**Signing Date: 12.12.2025
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It is alleged that the complainant and his siblings are the joint owners of the subject property. The Sale Deed was shown to be executed by the original owner Ms. Raj Kumari (mother of the complainant) in favour of the accused Sonia Jain. It is alleged that Raj Kumari, who had allegedly executed the Sale Deed in favour of Sonia Jain, had in fact expired long back in the year 2001. It is further alleged that the accused persons in connivance with each other had produced another lady, who impersonated herself as Raj Kumari, and executed the Sale Deed.

3. Prior to registration of the case, a complaint was also given by the accused Sonia Jain, who claimed to have purchased the subject property and alleged that the same was illegally occupied by the applicant and his family members, pursuant to which in enquiry it was found that the person who executed the Sale Deed dated 08.04.2022 as Raj Kumari was an impersonator.

4. The allegation against the applicant is that he along with co-accused Arun had shared some details of the actual owner (that is, deceased Raj Kumari) with accused persons—Satish Kumar and Kumar Vishesh Gautam, who are alleged to have arranged the impersonator.

5. It is the case of the applicant that he was residing on the subject property with his family as merely a caretaker and he had voluntarily vacated the property after receiving compensation of ₹50 lakhs from the accused Sonia. It is emphasised that the many of the co-accused persons with graver roles have already been enlarged on bail.

6. Pertinently, the accused persons—Sonia Jain and Sanjay

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Jain, who are alleged to have forged the alleged Sale Deed in connivance with some of the other accused persons to illegally acquire the subject property, have already been admitted on bail by the learned Trial Court by common order dated 08.04.2024.

7. Other accused persons, namely, Neeraj Kumar Gautam, Kumar Vishesh Gautam and Girish Kumar Sharma, have also been admitted on bail by this Court by way of orders dated 18.11.2024, 29.10.2024 and 06.12.2024 respectively.

8. *Ex facie*, the role attributed to the applicant, in the opinion of this Court, cannot be said to be graver than the other accused persons, who have already been enlarged on bail, and he is thus entitled to bail on the ground of parity.

9. Even otherwise, the applicant has been in custody since 20.03.2024. As the chargesheet is already filed and the investigation *qua* the applicant is complete, no purpose would be served by subjecting the applicant to undergo further incarceration.

10. 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.

11. However, appropriate conditions ought to be put to allay the apprehension of the applicant tampering with the evidence or evading the trial.

12. In view of the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹25,000/- with two sureties of the like amount, subject to the



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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 the case, in any manner whatsoever;
- b. The applicant shall under no circumstance leave the boundaries of the country without the permission of the learned 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 and 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/SHO and shall keep his mobile phones switched on at all times.

13. 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.

14. It is clarified that the observations made in the present order are only for the purpose of deciding the present bail application and shall not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.



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15. The bail application is allowed in the aforementioned terms. Pending application also stands disposed of.

AMIT MAHAJAN, J

DECEMBER 12, 2025

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