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

+ **BAIL APPLN. 1216/2026**

GEETA DEVI

.....Petitioner

Through: Mr. Anil Goel, Advocate

versus

STATE/N.C.T. OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Gaurav Bisht and Ms. Anita
Bisht, Advocates

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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29.04.2026

CRL.M.(BAIL) 772/2026 (for interim bail)

1. The learned counsel appearing for the applicant seeks permission to withdraw the present application.
2. Accordingly, the present application stands dismissed as withdrawn.

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3. The next date of hearing in the bail application is 12.05.2026. However, the matter is preponed.
4. The matter is taken up for hearing today.
5. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 412/2023, registered at Police Station Ashok Vihar, Delhi, for the offence punishable under Section 420 of the Indian Penal Code, 1860 (hereafter 'IPC').



6. Briefly stated, the present FIR had been registered on the complaint of Mrs. Priyanka Ranjan, who alleged that she and her husband had been induced by property dealer Harinder Pal Singh and the sellers, Smt. Geeta Devi (present applicant) and her husband Sh. Radhey Shyam Garg, to purchase property bearing No. A-46, 3rd Floor, Ashok Vihar, Phase-II, Delhi. It was alleged that the accused persons had represented that the third floor was legally constructed as per a sanctioned site plan of the year 2009 and had shown/handed over a purported regularised sanctioned plan to gain the complainant's trust. Relying upon such representations, an Agreement to Sell dated 23.02.2021 had been executed for a total consideration of ₹1,32,00,000/-, pursuant to which the complainant paid ₹10,00,000/- as earnest money and thereafter the entire sale consideration. The Sale Deed was executed and registered on 27.12.2021 in favour of the complainant. Subsequently, disputes arose with the owners of the lower floors, and during the course of civil proceedings, it came to light from the report of the MCD that no sanctioned plan for the third floor existed. Thereafter, MCD issued a show cause notice dated 27.04.2023 and passed a demolition order dated 16.05.2023.

7. During investigation, records were sought from MCD, Keshavpuram Zone, which provided a sanctioned plan of the year 2007 but categorically stated that no record of any regularised sanctioned plan of 2009 existed. Correspondence with MCD Rohini Zone also confirmed that no such plan had ever been issued, and even the registration number mentioned on the alleged plan pertained to a different property. It thus emerged that the alleged sanctioned plan of 2009 shown to the complainant was forged and fabricated, and the complainant had been induced to part with a sum of



₹1,32,00,000/- on the basis of such misrepresentation. During the course of investigation, a raid was conducted on 10.02.2026 at the residence of the present accused Geeta Devi and co-accused Radhey Shyam Garg, however, they did not join the investigation and concealed their presence. The co-accused thereafter moved an anticipatory bail application. The present accused/applicant Geeta Devi was subsequently apprehended from Vrindavan (U.P.) on 14.02.2026.

8. The learned counsel appearing for the applicant submits that the applicant had lawfully purchased the property in question in the year 2008 and had subsequently sold the third floor to the complainant through a registered sale deed dated 27.12.2021. It is argued that the complainant, in collusion with her husband, who is a builder, is now misusing the dispute to pressurize the applicant and her family members, and has even extended threats to force sale of the remaining portion of the property at a throwaway price. It is further submitted that disputes regarding construction on the third floor are already the subject matter of a pending civil suit filed by other occupants of the building, and the complainant herself has participated in those proceedings. The learned counsel contends that the present FIR is a counterblast to the earlier complaints made by the applicant seeking police protection. It is thus argued that the present case arises out of a civil dispute which has been given a criminal colour, and the only allegations levelled against the applicant are of alleged forgery of documents, and the applicant has been falsely implicated. It is also stated that the applicant is an uneducated woman, aged about 71 years, and suffering from various infirmities due to her old age, and now, her husband has also unfortunately passed away. It is thus prayed that the applicant be granted regular bail.



9. The learned APP for the State, on the other hand, argues that the applicant Geeta Devi is the main accused and the beneficiary of the sale consideration, as all financial transactions were credited into her bank account. It is contended that the allegations against her are grave and serious, involving cheating and forgery of a regularised sanctioned plan at the time of execution of the sale deed. It is further submitted that offences under Sections 467/468/471 of IPC have been invoked, and therefore, issuance of notice under Section 41A of Cr.P.C. was not mandatory. The learned APP also contends that the complainant, who is a cancer patient, has also suffered considerably due to the acts of the accused. It is argued that the investigation is still ongoing, and there is an apprehension that the applicant may influence witnesses or tamper with evidence if released on bail.

10. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has pursued the case file.

11. After hearing the arguments and perusing the record, this Court notes that the allegations in the present case are that the accused persons had induced the complainant to purchase the third floor of the property on the basis of representations that the same was duly constructed as per a regularised sanctioned plan of the year 2009. It is alleged that relying upon such representations, the complainant had paid a substantial amount towards the sale consideration and the sale deed was executed in her favour.

12. However, this Court takes note of the fact that during the course of investigation, it has emerged that no such regularised sanctioned plan of the year 2009 existed in the records of MCD. The concerned authority has categorically stated that the alleged sanctioned plan shown to the complainant does not form part of official records and even the registration



number mentioned therein pertains to a different property. *Prima facie*, therefore, the said document appears to be forged and fabricated, and was used to induce the complainant to part with a large sum of money.

13. The specific role attributed to the present applicant is that she was the seller of the property and the entire sale consideration was credited into her bank account. The prosecution has also relied upon the alleged sanctioned plan, which, as per the material on record, bears her signatures. At this stage, the defence of the applicant regarding denial of signatures or lack of knowledge cannot be examined in detail and remains a matter of trial.

14. So far as the contention regarding pendency of a civil suit is concerned, it is noted that the said civil suit is between the owners of the basement, ground floor and first floor on one hand, and the owners of the second and third floors on the other hand. In contrast, the present FIR arises out of a dispute between the owner of the second floor (applicant herein) and the owner of the third floor, who is the complainant herein. Thus, the lis in the civil suit is distinct from the subject matter of the present case. The pendency of the said civil proceedings, therefore, does not dilute the allegations in the present case, which pertain to use of a forged document and inducement to part with money, and the matter cannot be treated as a mere civil dispute.

15. Considering the nature of the allegations, the manner in which the alleged forged document was used, and the role attributed to the applicant, this Court is not inclined to grant bail to the applicant *at this stage*.

16. Accordingly, the present application stands dismissed.

17. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.



18. The date already fixed i.e. 12.05.2026 stands cancelled.
19. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 29, 2026/zp
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