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

+ **BAIL APPLN. 1412/2026**

MS MEHTAB

.....Petitioner

Through: Mr. Jai Kumar Sinha, Advocate

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Somesh, PS Madhu
Vihar

Mr. Raj Kumar and Mr. Farooq
Ahmed, Advocates for R-2
R-2 in person

+ **BAIL APPLN. 1416/2026 & CRL.M.A. 11222/2026**

MS. SHAMA

.....Petitioner

Through: Mr. Jai Kumar Sinha, Advocate

versus

STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Somesh, PS Madhu
Vihar

Mr. Raj Kumar and Mr. Farooq
Ahmed, Advocates for R-2
R-2 in person

+ **BAIL APPLN. 1417/2026**

MS. GUDIA

.....Petitioner

Through: Mr. Jai Kumar Sinha, Advocate

versus



STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP for
State with SI Somesh, PS Madhu
Vihar

Mr. Raj Kumar and Mr. Farooq
Ahmed, Advocates for R-2

R-2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

14.05.2026

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1. All the three aforesaid applications were taken up by this Court on 13.04.2026. The broad facts were captured and interim relief was granted.

Relevant portion reads as under: -

"2. Applicants seek anticipatory bail in case arising out of FIR No.402/2025 dated 20.12.2025, registered at P.S. Madhu Vihar, for commission of offences under Sections 329(4)/332(c)/333/305(a)/115(2)/126/3(5) of Bharatiya Nyaya Sanhita (BNS), 2023 (corresponding Sections 448/451/452/380/323/339/34 IPC).

3. FIR was lodged by Hansha Hakim, wife of Abdul Hakim.

4. She got married to Abdul Hakim in the year 2013, as per Muslim rites and customs. Abdul Hakim was earlier married to Shyada Begam (since expired).

5. According to learned counsel for the applicants, Shyada Begam (first wife of Abdul Hakim) had no child from marriage and she had executed a Will in favour of her real brother i.e. Akil Ahmad and the entire property i.e. A-188, Gali No.11, Chander Vihar, Madhu Vihar, Delhi had been bequeathed in favour of such brother. Genuineness of such Will has been disputed by the second wife as well as Abdul Hakim and the same is still pending civil adjudication.

6. As per Hansha Hakim, Akil Ahmad (brother of Shyada Begam) had come in possession of three shops of property bearing No.A-188, Gali No.11, Chander Vihar, Madhu Vihar, Delhi on the basis of forged documents.



There are allegations regarding forging of Adoption Deed and Will and there are already civil cases pending against the parties.

7. According to complainant, in connection with one second appeal i.e. RSA No.158/2017 filed by Akil Ahmad, this Court had passed an order on 23.07.2018, directing that Akil Ahmad would remain in possession of three shops and three rooms but, simultaneously, he was directed not to trespass in another portion of the abovesaid property. According to her, in flagrant violation of the abovesaid order, Akil Ahmad, alongwith his other family members, including applicants herein, on 17.10.2025, forcibly entered into the property and beat them up, broke the lock of one room and looted the articles lying there.

8. Though, the alleged incident is stated to be of 17.10.2025, fact remains that the FIR was got registered on 20.12.2025.

9. When prayer for anticipatory bail was made by all the three applicants before the learned Trial Court, such request was declined, primarily, for the reason that they had violated the abovesaid order passed by this Court and, moreover, when notice was served upon them, they did not join the investigation.

10. Learned Addl. P.P. for the State is present and is assisted by the Investigating Officer. When asked, he, in all fairness, submits that as far as these three applicants are concerned, they were not party to abovesaid civil suit/appeal. The alleged main offender i.e. Akil Ahmad has already been arrested on 23.02.2026 and is in judicial custody.

11. All the three applicants are relatives of Akil Ahmad. Ms. Mehtab (aged 46 years) is Bhabhi, Ms. Shama (aged 46 years) is Saali and Ms. Gudia (aged 29 years) is niece of Principal Offender Akil Ahmad.

12. Keeping in mind the overall facts of the case and, in particular, the fact that the applicants are not party to the abovesaid civil suit and appeal and the fact that they have no previous antecedents of any nature whatsoever, the applicants are permitted to join the investigation as and when so directed and in the interregnum, let no further coercive steps be taken against them till next date of hearing.

13. Let comprehensive status report be filed by respondent/State by next date of hearing with advance copy to opposite side. ”

2. Learned Addl. P.P. for State submits status report. It is taken on record.



3. As per status report, applicants have though joined the investigation, the case property is yet to be recovered and some other co-accused are yet to be apprehended.
4. Learned counsel for respondent No. 2 Smt. Hansa has joined the proceedings through *videoconferencing*. Respondent No. 2 is also present in person in the Court. They contend that despite order passed by the learned Regular Second Appeal (RSA) Court, there is defiance and violation and the applicants have dispossessed them and, therefore it is not a fit case where they should be granted any relief.
5. Fact, however, remains that when interim relief was granted to the present applicants, it was, categorically, observed that these applicants were not party to the civil suit/appeal in question.
6. Learned counsel for applicants also submits that main accused i.e. Akil Ahmad has already been enlarged on bail by the learned Magisterial Court on 22.04.2026. A copy of such order has also been placed on record.
7. Keeping in mind the overall facts of the case and the fact that applicants have already joined the investigation, the interim orders are hereby made absolute and applications are disposed with the directions that they would keep on assisting the investigation and would join the investigation as and when so directed and in the event of their arrest, they be released on bail by the concerned SHO/IO/arresting officer on their furnishing personal bonds and surety bonds in a sum of Rs. 25,000/- each. However, in case, applicants try to contact, influence or intimidate the complainant or any witness, any such conduct on their part would entail cancellation of the bail and prosecution and complainant would be at liberty to file appropriate application in this regard.



8. Applications stand disposed of in aforesaid terms.
9. Other pending application, if any, also stand disposed of in aforesaid terms.

MANOJ JAIN, J

MAY 14, 2026/dr/pb