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

+ **BAIL APPLN. 1611/2026 & CRL.M.A. 12954/2026**

RENU

.....Petitioner

Through: Ms. Dipika Saxena, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State with
Mr. Gaurav Bisht and Ms. Ankita
Bisht, Advocates.
Mr. Shahid Ali, Mr. Mohd Salman,
Mr. Sameer Tayyeb, Mr. Nazar
Hussain, Mr. Ahmad Saeed,
Advocates for complainant.

(76)

+ **BAIL APPLN. 1620/2026 & CRL.M.A. 13048/2026**

PRADEEP

.....Petitioner

Through: Ms. Dipika Saxena, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State with
Mr. Gaurav Bisht and Ms. Ankita
Bisht, Advocates.
Mr. Shahid Ali, Mr. Mohd Salman,
Mr. Sameer Tayyeb, Mr. Nazar
Hussain, Mr. Ahmad Saeed,
Advocates for complainant.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

29.04.2026

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CRL.M.A. 12953/2026 (exemption) in BAIL APPLN. 1611/2026

CRL.M.A. 13047/2026 (exemption) in BAIL APPLN. 1620/2026

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

BAIL APPLN. 1611/2026 & BAIL APPLN. 1620/2026

3. By way of the present applications, the applicants are seeking grant of anticipatory bail in case arising out of FIR bearing no. 367/2023, registered at Police Station Farsh Bazar, Delhi, for the commission of offences punishable under Sections 420/506/34 of the Indian Penal Code, 1860 (hereafter 'IPC').

4. Issue notice. The learned APP accepts notice on behalf of the State.

5. Briefly stated, the facts of the case are that the present FIR was registered on the complaint of the complainant in relation to a property transaction. The complainant had entered into an agreement in July 2021 with the accused persons, i.e. present applicants Renu and Pradeep, for the purchase of property bearing No. 500/20A, Bhikam Singh Colony, Vishwas Nagar, Delhi, for a total sale consideration of ₹55,11,000/-. It is alleged that the accused persons had disclosed that the said property was subject to an existing loan of ₹3.5 lakhs and had assured the complainant that the same would be cleared and the sale deed would thereafter be executed in his favour. Acting upon these assurances, the complainant had paid a total sum of ₹40 lakhs to the accused persons, partly through banking channels and partly in cash. It is further alleged that despite receiving the said amount, the accused persons failed to clear the loan, as a result of which the property was sealed by the finance company and the complainant was dispossessed. Thereafter, the accused persons are alleged to have cleared the loan



themselves and regained possession of the property, but refused to execute the sale deed in favour of the complainant or refund the amount. It is also alleged that they had extended threats to the complainant.

6. During the course of investigation, the accused persons did not join the investigation despite service of notice under Section 41A of Cr.P.C., and their anticipatory bail applications were dismissed at various stages by the learned Sessions Court as well as by this Court. Though interim protection had been granted earlier by this Court subject to joining investigation, they allegedly made contradictory statements regarding the amount received and the amount allegedly refunded. Mediation proceedings between the parties also failed to result in any settlement. Further, subsequent bail applications filed by the accused persons were either dismissed or withdrawn, and coercive steps, including issuance of Non-Bailable Warrants (NBWs) and initiation of proceedings under Section 82 of the Cr.P.C., were taken against them. The Special Leave Petition filed by one of the accused before the Hon'ble Supreme Court was also dismissed. The investigation in the matter is stated to be ongoing.

7. The learned counsel appearing for the applicants submits that although the earlier applications for grant of anticipatory bail had been rejected by this Court as well as by the Hon'ble Supreme Court, the present application is maintainable on account of a material change in circumstances. It is contended that subsequent to the dismissal of the Special Leave Petition, the parties have entered into a settlement/compromise, which fundamentally alters the nature of the dispute and warrants fresh consideration of the present application. It is further argued that the dispute between the parties is essentially civil in nature arising out of a property



transaction. The learned counsel submits that the applicants have acted *bona fide* and had utilized the amount received towards clearing the loan on the property, and therefore, the essential ingredients of the offence of cheating are not made out in the present case. It is also submitted that the complainant has not disclosed the source of the alleged cash payment and that there are inconsistencies in the prosecution case with regard to the alleged financial transactions. The learned counsel further submits that the applicants are ready and willing to abide by any condition imposed by this Court, and in order to demonstrate their *bona fides*, they are willing to deposit a sum of ₹19 lakhs before the concerned Court. In view of the above submissions, it is prayed that the applicants be granted the benefit of anticipatory bail.

8. The learned APP for the State, along with the learned counsel appearing for the complainant, opposes the bail applications and argues that no fresh ground exists for reconsideration of the anticipatory bail applications, particularly when the earlier applications have already been dismissed by this Court as well as by the Hon'ble Supreme Court. It is argued that the so-called settlement, which is being projected as a change in circumstances, has not been honoured by the applicants. On the contrary, it is submitted that despite entering into a settlement/compromise, the applicants have failed to comply with its terms and have merely used it as a means to delay the proceedings and avoid the process of law. It is contended that such conduct disentitles the applicants from any discretionary relief. It is also pointed out that even after grant of interim protection earlier, the applicants have made contradictory statements and have not come forward with a clear and truthful version. It is also argued that the allegations in the present case disclose commission of serious offences involving cheating and



misappropriation of substantial amounts, and the same cannot be trivialized as a mere civil dispute. The learned counsel for the complainant further submits that the complainant has been deprived of both the property as well as the substantial amount paid, and has been subjected to threats. In these circumstances, it is submitted that the applicants do not deserve the relief of anticipatory bail and the present application is liable to be dismissed.

9. This Court had **heard** arguments on behalf of the applicants, State and the complainant, and has also perused the material on record.

10. At the outset, this Court notes that the anticipatory bail applications of the present applicants have already been rejected by this Court and thereafter by the Hon'ble Supreme Court. The present applications have been preferred on the ground of an alleged settlement between the parties and that the applicants are ready to pay the amount in question to the complainants; *however*, from the material placed on record, it does not appear that the said settlement has been acted upon or complied with in its true letter and spirit. Rather, the conduct of the applicants reflects that the plea of settlement has been raised only as a ground to seek indulgence of the Court, without any demonstrable *bona fides*. The learned counsel appearing for the complainant has also opposed the present bail applications.

11. It is further noted that proceedings under Section 82 of the Cr.P.C. have already been initiated against the applicants, which indicates that they have not been cooperating with the process of law. The initiation of such proceedings, coupled with the earlier rejection of anticipatory bail up to the level of the Hon'ble Supreme Court, clearly weighs against the grant of discretionary relief in favour of the applicants.

12. This Court is also of the view that the allegations in the present case,



which pertain to cheating and misappropriation of substantial amounts in a property transaction, cannot be lightly brushed aside as a mere civil dispute at this stage. The material on record *prima facie* discloses that the complainant has been deprived of both the possession of the property as well as the amount paid, and the role attributed to the applicants is of a serious nature.

13. In view of the aforesaid facts and circumstances, this Court does not find any fresh ground or change in circumstances so as to take a view different from the one already taken earlier. Accordingly, no case for grant of anticipatory bail is made out.

14. The present applications for grant of anticipatory bail, along with all pending applications, if any, are hereby dismissed.

15. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

16. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 29, 2026/vc
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