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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1810/2025

SANJAY KUMAR

.....Petitioner

Through: Mr. Mukesh Anand and Mr. Pankaj
Tiwari, Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State.
Counsel for the complainant
(appearance not given)

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

10.02.2026

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By way of the present petition filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks regular bail in case FIR No.177/2024 dated 19.03.2024 registered under sections 420/468/471/120-B of the Indian Penal Code, 1860 ('IPC') at P.S.: Swaroop Nagar, Delhi. Consequent upon completion of investigation, offences under sections 448/467/201 of the IPC have been added *vide* chargesheet dated 10.11.2024.

2. Notice on this petition was issued on 13.05.2025.
3. Status Report dated 15.07.2025 has been filed in the matter.
4. The complainant has also filed a reply dated 15.01.2026 to the present petition.
5. Nominal roll dated 17.01.2026 has been received from the Jail Superintendent. It shows that the petitioner has undergone more than



01 year and 04 months of custody as of 16.01.2026; that his jail conduct has been 'satisfactory'; and that he has 03 other criminal involvements, including one under section 138 of the Negotiable Instruments Act, 1881, but he is on bail in all those matters.

6. Investigation in the matter is complete; and chargesheet dated 10.11.2024 has been filed. However, learned APP submits that since the FSL report is awaited, the Investigating Officer may file a supplementary chargesheet before the learned trial court.
7. The petitioner is facing trial, which is scheduled next for recording of prosecution evidence on 20.02.2026 before the learned trial court.
8. Learned counsel appearing for the petitioner submits, that the subject FIR arose from a transaction of sale/transfer of rights to an immovable property; and the petitioner came into possession of the subject property by way of the 'customary' set of documents comprising a general power of attorney, an agreement to sell and other ancillary documents executed in his favour by one Ramphal.
9. Counsel submits, that there are civil litigations pending between the parties, including suit bearing CS SCJ No.264/2024, which was filed by the petitioner, in which *vidé* order dated 19.09.2024, the learned Civil Court has restrained the complainant from interfering with the petitioner's possession of the property, even while observing that the complainant had shown his ownership of the property. In the said order, the learned Civil Court has also observed that the petitioner (plaintiff in the suit) has been able to show a *prima-facie* case of being in *possession* of the property.



10. All other things apart, it is submitted that no purpose is being served by detaining the petitioner in custody any longer, since the chargesheet has already been filed.
11. The court has also heard Ms. Shubhi Gupta learned APP appearing for the State; as well as the learned counsel appearing for the complainant, who have contested the grant of bail, citing the seriousness of the offence alleged and the grievance of the complainant.
12. Upon a conspectus of the submissions made, the considerations that weigh with the court *at this stage*, are the following:
 - 12.1. Clearly, the dispute has arisen from the petitioner having allegedly acquired rights to the immovable property by way of a 'general power of attorney' transaction. The complainant has claimed ownership of the property, while the petitioner is admittedly in possession; and the civil dispute between the parties is pending adjudication before the concerned civil court.
 - 12.2. Investigation in the matter is complete; chargesheet dated 10.11.2024 has been filed; and the petitioner is facing trial, which is now at the stage of recording prosecution evidence.
 - 12.3. Though the petitioner appears to have other criminal involvements, he is on bail in all those cases.
 - 12.4. In the present case, the petitioner has suffered judicial custody of more than 01 year and 04 months as of 16.01.2026.
 - 12.5. No purpose would be served by detaining the petitioner in custody any longer, which custody would now amount to pre-conviction punishment.



13. In view of the above, this court is inclined to admit the petitioner – **Sanjay s/o Dharamvir** – to *regular bail* in the present case, subject to the following conditions:
- 13.1. The petitioner shall furnish a personal bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the learned trial court;
- 13.2. The petitioner shall furnish to the Investigating Officer/S.H.O a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 13.3. If the petitioner has a passport, he shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
- 13.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial; and
- 13.5. In case of any change in his residential address/contact details, the petitioner shall promptly inform the I.O. in writing.
14. Since the petitioner is facing trial and would therefore be appearing before the learned trial court from time-to-time, it is not considered necessary to impose a reporting requirement as a condition of regular bail.



15. The petition is disposed-of in the above terms.
16. Pending applications, if any, also stand disposed-of.
17. Let a copy of this order be communicated by the Registry to the concerned Jail Superintendent *expeditiously*.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 10, 2026

V.Rawat