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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3633/2025 & CRL.M.A. 28454/2025

R.K. SINGH

.....Applicant

Through: Mr. Bishwajit Singh and Mr.
Prakhar Aditya, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for the
State with Mr. Apoorva Khosla,
Ms. Vanshika Singh and Mr. Bhanu
Pratap Singh, Advocates.

SI Bajrang, DIU/ Central District.

Mr. P.S. Bindra, Sr. Advocate with
Mr. Manish Kaushik, Mr. Yash and
Mr. Vishal Johri, Advocates for
complainant.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

23.03.2026

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1. By virtue of the present application under *Section 482* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), read with *Section 438* of the Code of Criminal Procedure, 1973 (**Cr.P.C.**), the applicant seeks grant of anticipatory bail in FIR No.259/2020 dated 17.12.2020 registered at PS.: Rajender Nagar, New Delhi under *Sections 420/467/468/471* of the Indian Penal Code, 1860 (**IPC**).

2. *Succinctly put*, the present FIR arises out of the complaint filed by the complainant, whereby it was revealed that the property bearing no.3B/4, Poorvi Marg, near Gangaram Hospital Road, Rajinder Nagar,



New Delhi measuring about 666 Sq. Yds., was jointly owned by Late Sadhu Singh Reyatt and Late Prakash Singh Reyatt since 1954. Since share of the same was bequeathed equally amongst the three sons of Late Sadhu Singh Reyatt through a Will dated 28.10.1988, Mr. Bhupinder Singh and Mr. Hardy Singh *vide* Agreement(s) to Sell 03.11.2010 and 08.06.2011 sold their undivided share to the complainant's company respectively. Thereafter, the accused, Mr. Jaspal Singh (third son of Late Sadhu Singh Reyatt) came up with another Will dated 28.08.2002 executed by Late Sadhu Singh which was purportedly received from the applicant herein, which revealed that the entire undivided share was bequeathed exclusively to him, based thereon, he got the said property mutated under his name before the Delhi Development Authority (DDA) and sold it to one, Mr. Surender Kumar through two registered Sale Deed(s) dated 26.06.2020.

3. During investigation on 10.10.2021, the applicant was interrogated at his house in Kolkata, whereupon he stated that between 2002 and 2007 accused, Mr. Jaspal Singh Reyatt had visited his house in Kolkata and showed him a Will drafted on plain paper, purportedly executed by his late father Sh. Sadhu Singh Reyatt, and requested him to sign the document as a witness. Subsequently, since further investigation was required, a Notice was sent on 18.10.2021 to the applicant, however, he did not join investigation. Pursuant thereto, considering that the applicant was a witness of the Will dated 28.08.2002, notice under *Section 41A* of the Cr.P.C. was served upon him, regardless, as same was not responded to, Non-Bailable Warrants (NBWs) were issued against him. However, the same could not be executed as the applicant was not present at his



residential address. Consequently, proceedings under *Section 82* of the Cr.P.C. before the learned Trial Court were initiated.

4. Thereafter on 30.08.2025, the applicant made an application seeking recall of the said proceedings, whereby learned Trial Court directed the applicant to join the investigation on 06.09.2025 and dismissed his application seeking anticipatory bail as well. In the meanwhile, on 22.09.2025, by way of the present application this Court directed him to continue to appear before the Investigating Officer (*IO*) for investigation, as also granted interim protection and directed the IO to file a detailed Status Report. The applicant had joined the investigation on 25.09.2025 and 21.11.2025 pursuant thereto.

5. Mr. Bishwajit Singh, learned counsel for applicant presses grant of anticipatory bail submitting that the applicant is not named in the present FIR and his role is merely limited to being one of the witnesses to the purposed fabricated Will dated 28.08.2002. In any event, the issue herein pertains to the documentary evidence(s) which are already in possession of the prosecution, thus, the applicant is not required for custodial interrogation.

6. Lastly, the learned counsel submits that since the main accused in the present FIR has already been granted anticipatory bail by this Court *vide* judgment dated 09.04.2024, the applicant, being a senior citizen, who is willing to join/ participate in the investigation, is also liable to be granted anticipatory bail.

7. *Per contra*, Ms. Meenakshi Dahiya learned APP for the State, whilst relying upon the Status Report, submits that it is not denied that the applicant had joined the investigation, however, as per his statement made



on 25.09.2025, major inconsistencies were apparent *qua* the essential facts, including sequence of signatures, presence of the executant etc. pertaining to the Will dated 28.08.2002. Also, *qua* the identical email dated 23.04.2011 and covering letter dated 24.04.2011, the applicant acknowledged that the said covering letter was sent by him along with the copy of the Will dated 28.08.2002 to the family members of accused, Mr. Jaspal Singh Reyatt through Speed Post, however, he was unable to say anything more. Therefore, further investigation of the applicant is required.

8. Furthermore, Mr. P.S. Bindra, learned senior counsel for the complainant, in support of the assertions made by the learned APP for the State, submits that considering the major discrepancies in the statement(s), especially considering that the applicant, as per his previous statement had signed the Will dated 28.08.2002 as a witness, even after the death of Late Sadhu Singh Reyatt, the present application is liable to be dismissed.

9. Heard learned counsel for the applicant as also the learned APP for the State and the learned senior counsel for the complainant and perused the documents as well as the Status Report on record.

10. The applicant, who is a senior citizen, is a witness to the Will dated 28.08.2002, on which, the whole issue herein is revolving. As such, the controversy is regarding documentary evidence(s), mainly involving a dispute of civil nature. More so, it is not in dispute that the applicant is appearing and participating in the investigation.

11. Keeping all the aforesaid in mind, and the safeguards required while granting anticipatory bail, custodial interrogation of the applicant can hardly be required. As such, this Court is of the opinion that the applicant



has made out a case for grant of anticipatory bail.

12. Accordingly, the applicant is granted anticipatory bail in FIR No.259/2020 dated 17.12.2020 registered at PS.: Rajender Nagar, New Delhi under *Sections 420/467/468/471* of the IPC, subject to the applicant participating in the investigation, as if and when, called by the IO. As such, in case of his arrest, the applicant be released on furnishing a personal bond in the sum of Rs.1,00,000/- (*Rupees One Lakh Only*) along with one surety of the like amount by a family member/ friend having no criminal case pending against him/ her and further subject to the satisfaction of the Arresting Officer/ S.H.O. as also subject to the following conditions:-

- a. Applicant shall ordinarily reside at the address as per the Memo of Parties as mentioned in the present application and shall not leave the same without prior permission of the concerned Court.
- b. Applicant shall surrender his Passport, if any, to the IO.
- c. Applicant shall join and participate in the investigation as if and when called by the IO.
- d. Applicant shall provide all his mobile numbers to the IO concerned which shall be kept in working condition at all times.
- e. Applicant shall not indulge in any criminal activity and shall not contact any of the prosecution witnesses, or tamper with the evidence of the case.

13. Accordingly, the present application, along with the pending application, is allowed and disposed of in the aforesaid terms.

14. Copy of this order be sent to the concerned Arresting Officer/



S.H.O. for information and compliance thereof.

15. The observations expressed hereinabove, if any, being tentative in nature, will not come in the way of any subsequent proceedings, which shall be dealt on their own merits.

SAURABH BANERJEE, J

MARCH 23, 2026/NA