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

+ **BAIL APPLN. 4739/2025**

FARUK KHAN

.....Petitioner

Through: Mr. Anil Kumar Basoya, Advocate
via video-conferencing.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State.
Insp. Daleep Kumar, Crime Branch.
Ms. Azra Rehman, Advocate for
next-of-kin of the deceased.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **02.04.2026**

CRL.M.A. No. 36516/2025 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

BAIL APPLN. 4739/2025

By way of the present petition filed under section 483 read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks regular bail in case FIR No. 347/2022 dated 14.08.2022 registered under section 302 of the Indian Penal Code, 1860 ('IPC') and sections 25/27 of the Arms Act, 1959 at P.S.: Jamia Nagar, South-East, Delhi. Consequent upon completion of investigation, offences under sections 420/511/467/468/471/482/201/120B/34 of the IPC have been added *vide* chargesheet dated 16.11.2022.

2. Notice on this petition was issued on 08.12.2025.
3. Status Report dated 26.02.2026 has been filed.



4. Nominal Roll dated 24.02.2026 has been received from the Jail Superintendent.
5. Pursuant to intimation sent to the next-of-kin of the deceased, the parents and sister of the deceased are represented by counsel.
6. The present matter concerns the murder of one Wasif Sattar Ghazi on 14.08.2022. The Post Mortem Report dated 15.08.2022 showed the cause of death as *"hemorrhagic shock due to ante mortem firearm projectile injuries to chest and abdomen."*
7. The allegation made against the petitioner is, that in order to grab a certain property owned by the deceased, in criminal conspiracy with other co-accused persons, the petitioner purchased certain e-stamp papers for preparing a general power of attorney and other related documents; which documents are stated to have been destroyed and burnt subsequently. The documents were allegedly forged to grab the property of the deceased and transfer the said property to Nahid Abbasi. It is further alleged that the petitioner had also purchased a mobile phone from Gaffar Market (which was a stolen phone) and had provided that phone to co-accused Sultan Azim through the latter's sister Nahid Abbasi, and that phone was used by Sultan Azim to extend threats to the deceased.
8. Learned APP submits, that the role ascribed to the petitioner is of having entered into criminal conspiracy to forge documents to grab the property of the deceased. The status report narrates the role as follows:

"17. That during investigation, e-Stamp Vendor namely Abdus Shamad, who worked in the office of Mr. Rais Ahmed Siddiqui, Advocate, Notary Public stated that on 07.05.2025, three



e-Stamp Papers were purchased by one Faruk Khan for preparing GPA, Agreement to Sell and Affidavit of Properties Third Floor Flat Right Side as S-12, Khasra No. 214, Joga Bai Extension, Jamia Nagar, New Delhi. During interrogation, Faruk Khan stated that he destroyed and burnt all those documents. Further investigation also revealed that the stolen mobile phone, which was used for extending threats to Wasif Sattar Ghazi by accused Sultan Azim, was purchased by Faruk Khan from Gaffar Market and was provided to accused Sultan Azim through his sister Ms. Nahid Abbasi.

“18. That on the basis of above facts revealed during investigation, accused/petitioner Faruk Khan, on sustained interrogation, admitted of his involvement in hatching conspiracy of committing murder of Wasif Sattar Ghazi and grabbing his property. Accordingly, he was also arrested in this case on 28.08.2022.”

9. The petitioner was arrested on 28.08.2022 and has been in custody ever-since.
10. Chargesheet dated 16.11.2022 and supplementary chargesheet dated 09.01.2024 have been filed before the learned trial court. The prosecution has cited 70 witnesses, of whom only 02 have been examined so far, despite lapse of almost more than 3.5 years.
11. The court has heard Mr. Anil Basoya, learned counsel for the petitioner; Ms. Shubhi Gupta, learned APP for the State; as well as Ms. Azra Rehman, learned counsel appearing for the next-of-kin of the deceased. Having heard counsel for the parties, the considerations that weigh with the court *at this stage* are the following:
 - 11.1. The essence of the allegation against the petitioner is that he had purchased certain e-stamp papers for preparing a general power of attorney and other related documents in order to fraudulently transfer a property belonging to the deceased in favour of co-accused Nahid Abbasi; and that he had also



purchased a stolen mobile phone, which he had provided to co-accused Sultan Azim through his sister Nahid Abbasi, which phone was used by Sultan Azim to extend threats to the deceased.

- 11.2. These allegations, as they presently stand, maybe suggestive of the offence under section 120B IPC of entering into a criminal conspiracy *for forging documents to fraudulently transfer the property of the deceased in favour of the co-accused*; however, at least at this stage, there appears to be no material in support of the allegation that the petitioner had also entered into a criminal conspiracy to murder Wasif Sattar Ghazi.
- 11.3. Chargesheet and supplementary chargesheet in the matter have been filed way back on 16.11.2022 and 09.01.2024 respectively, in which the prosecution has cited 70 witnesses, of whom only 02 have deposed so far. Evidently, the trial will take a very long time to conclude.
- 11.4. The petitioner's nominal roll shows that he has suffered judicial custody of about 3.5 years; that his jail conduct has been 'satisfactory'; that he was released on interim bail on two prior occasions in December 2024 and May 2025, with no complaint of any violation of the terms of the interim bail; and that he has no other criminal involvements.
- 11.5. Co-accused Nahid Abbasi has been released on regular bail by a Co-ordinate Bench *vide* judgement dated 27.10.2025 in BAIL.APPLN. No.1664/2025.



12. Upon a conspectus of the above, and as a sequitur of the foregoing considerations, this court is persuaded to accept the present petition. The petitioner - ***Faruk Khan S/o Abdul Gani*** - is accordingly admitted to *regular bail* pending trial *subject to* following conditions:
- 12.1. The petitioner shall furnish a personal bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand Only) with 02 sureties in the like amount from family members, to the satisfaction of the learned trial court;
- 12.2. The petitioner shall furnish to the Investigating Officer ('I.O.)/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;
- 12.3. 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;
- 12.4. 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;
- 12.5. In case of any change in his residential address/contact details, the petitioner shall promptly inform the I.O. in writing;
- 12.6. 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.

13. Though it has been pointed-out by learned counsel appearing for the next-of-kin, that the old parents of the deceased reside in the vicinity of where the petitioner would stay while on bail, learned counsel for the petitioner assures the court that the petitioner would not in *any manner* engage with the parents of the deceased. The petitioner is cautioned against any misadventure on this count.
14. Furthermore, the S.H.O., P.S.: Jamia Nagar is directed to take immediate action and to bring to the notice of this court any complaint that may be received in this regard against the petitioner.
15. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.
16. The petition stands disposed-of.
17. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 2, 2026/hb