

Bail Matters 446/2026
STATE Vs. MANISH KUMAR
FIR no. 86/2026
PS Moti Nagar

27.03.2026

Pr: Sh. Subhash Chauhan, Ld. Chief PP for the State.
Ld. Counsel for the applicant/accused.
Ld. Counsel for the complainant.
IO PSI Krishna Saran in person with case file.

File perused. Heard.

This is an application u/s 482 of BNSS filed on behalf of the applicant/accused Manish Kumar for grant of anticipatory bail.

Arguments heard. Case file gone through.

It is submitted by Ld. Counsel that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant has no role in the present case and was only common friend of Hitesh (Proposed Buyer) and Deepak Chawla (Proposed seller) of the property in question. It is contended that the applicant/accused has only helped both (buyer and seller) for their property deal in bonafide belief. It is further submitted that the applicant/accused was only the witness of the alleged bayana agreement. It is further submitted that the applicant/accused is neither the buyer nor the seller nor the property dealer in the present case. It is further submitted that the present case is only a civil dispute and the complainant is trying

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to give it a criminal colour by concealing the true & correct facts. It is further submitted that the Late Raj Kumar Chawla, the father of Deepak Chawla was the owner of the property in question and the Hitesh Arora and his mother Vimla Rani have received the possession of the property in question, after paying entire consideration of the alleged sale. It is further contended that the complainant has deliberately and with malafide intention had hide the entries on the receipt, which bears the signature of the said Raj Kumar Chawla. It is further contended that there is no fraud or cheating in the alleged property deal. It is further contended that even if there was any iota of cheating in the alleged property deal, then the applicant was neither responsible for the alleged cheating nor there was any duty of the applicant/accused for the alleged property deal. It is argued that the complainant is alleging baseless and unsupported allegations against the applicant/accused. It is further argued that the role of the applicant/accused came to an end upon receiving of the possession of the property in question in pursuance to the alleged bayana agreement. Ld. Counsel further argued that any further transaction between the complainant and abovesaid Raj Kumar Chawla was neither in the knowledge of the applicant nor was obligation of the applicant to keep the track of the same. It is further submitted that the applicant kept quite for very long tune and had not pursued his legal remedies. It is further submitted

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that the applicant has received the notice of the present case and has already joined the investigation of the present case. It is further submitted that the applicant is not having any document/ bayana agreement etc. in his possession so his custodial interrogation is not required in any manner. It is further submitted that the applicant is ready and willing to join the investigation of the present case as required by the IO, but is having apprehension for his arrest in present case. With these submissions, prayer is made for grant of anticipatory bail.

On the other hand, Ld. Chief PP for the state as well as the Ld. Counsel for the complainant have strongly opposed the present bail application of the applicant/accused on the ground that the allegations against the accused are serious in nature. Ld. Chief PP as well as Ld. Counsel for the complainant argued that entire involvement of the applicant/accused is deliberate and with malafide intention to commit the alleged cheating whereby wrongful loss has been caused to the victim. Ld. Chief PP as well as Ld. Counsel for the complainant further argued that the accused/applicant is not co-operating in the investigation, hence, the custodial interrogation of the accused/applicant is essential for the recovery and the seizure of the original bayana agreement and other relevant documents from the possession of the accused. With these submissions, prayer is made for the dismissal of the present application.

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It is relevant to mention here that the present case is registered in the PS Moti Nagar u/s 420/34 IPC in pursuance of the directions of court of Ld. Judicial Magistrate First Class. Brief facts of the case are that the complainant intending to purchase a flat bearing no. 22/9 C, Third Floor, with roof rights situated at Moti Nagar, Delhi. It is alleged that the applicant is the son of the complainant and assured for the arranging of a flat in Moti Nagar and accordingly introduced the complainant with Raj Kumar Chawla, who claimed himself as a owner of the property in question. It is further alleged that accordingly a bayana agreement was executed for the sale of the abovesaid property for a consideration amount of Rs.20 Lakhs, in which the accused/applicant also stood as a witness. It is further alleged that the complainant has paid a token amount of Rs. 2 Lakhs on 23.07.2016 and the remaining amount was to be paid on or before 31.05.2017. It is relevant to mention here that the signature on the alleged bayana are of abovesaid Rajesh Chawal and his son Deepak Chawla, but the handwriting on the receiving portion of the said bayana document is of accused/applicant. It is further alleged that by 12.07.2017, the complainant paid the entire consideration to the accused persons, but the complainant approached the execution of the property document, then they refused the same and demanded additional money for the said property. It is further alleged that on one occasion accused/

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applicant shifted the furniture/household articles of the complainant to the said property and allowed stay at the said property for the one night. Thereupon, the complainant locked the house. However, the accused/applicant took the key of the said house as well as the original bayana agreement from the complainant on the pretext that the same was required for the purpose of preparation and execution of registry of the said property. It is further alleged that during the same period the said property was sold to one Poonam Devi, who is the wife of the employee of the accused/applicant.

As per the reply of the IO, the accused/applicant has joined the investigation, but has not cooperated in the investigation. Further notice u/s 94 BNSS was served upon the accused/applicant to produce the employment details and original documents, but in vain. As per the submissions of the IO, custodial interrogation of the applicant/ accused is necessary.

The allegations against the accused/applicant are serious in nature. Hence, considering the conduct of the applicant/ accused and keeping in view facts & seriousness of the allegations against the applicant/accused, no ground is made out for grant of anticipatory bail to the accused, at this stage. Hence, the present anticipatory application is dismissed being devoid of merit.

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Nothing discussed herein-above shall have any bearing upon the merits of the case.

Copy of the order be given dasti, as prayed for

(SATVIR SINGH LAMBA)
ASJ/SPECIAL JUDGE (NDPS),
WEST DISTRICT, DELHI/27.03.2026