

**IN THE COURT OF Ms. VANDANA JAIN,
ADDL. SESSIONS JUDGE-03/SPECIAL JUDGE
(COMPANIES ACT), DWARKA COURTS, NEW DELHI.**

**CNR No.DLSW01-001266-2025
Bail Appln. Reg. No.247/2025
State Vs. Manoj Kumar
FIR No.409/2024
PS : Chhawla
U/S : 329(4)/324(4) of BNS, 2023**

ANTICIPATORY BAIL

12.02.2025

Present: Sh. Vijender Kharb, Id. Addl. PP for the State.
IO/SI Murari Krishan from PS Chhawla.
Sh. Akshya, Id. counsel for applicant Manoj Kumar.

This is an application under Section 482 of BNSS, 2023 moved on behalf of the applicant for grant of anticipatory bail.

Reply to the bail application has been filed on behalf of IO today. Copy of the same is supplied to learned counsel for the applicant.

It is submitted by Id. counsel for the applicant that applicant has been falsely implicated in the present case. He is only the contractor. Id. counsel for the applicant has further submitted that the applicant is ready to join the investigation and that the applicant is apprehending his arrest, therefore, protection be granted to him.

On the other hand, Id. Addl. PP for the State, assisted by IO, has opposed the application stating that a false chain has been created by the accused persons including the applicant

contd.....2/-

herein and therefore, the present anticipatory bail application be dismissed.

I have heard ld. counsel for the applicant as well as ld. Addl. PP for the State and have perused the record carefully.

As per the reply filed by the IO, the complainant Mamta Tiwari had purchased the property bearing plot no.178 & 179 (Khasra No.12/13) located at B-Block, Shyam Kunj, Delhi-110071 (hereinafter referred to as plot in question) from one Uddal Singh in the year 2004. On 09.10.2024 she received a phone call from the neighbour that some activity was going on in her plot and it was further revealed that one person with the name Manoj i.e. applicant herein had carried out demolition in the said plot at the instance of co-accused Sanjeev Gupta. Police was called. During the course of investigation, documents of the complainant as well as documents of the co-accused Sanjeev Gupta were taken by the police. Co-accused Sanjeev Gupta also produced another chain of documents and as per the said chain of documents, the plot in question was purchased from Uddal Singh by complainant Mamta Tiwari in 2004, from Mamta Tiwari by one Ashok Kumar and from Ashok Kumar by co-accused Sanjeev Gupta in September, 2011.

It also came out during investigation that the sale deed executed between Ashok Kumar and Mamta Tiwari in the year 2008 was not found in the record of the Notary Cell. The alleged Ashok Kumar i.e. the predecessor-in-interest of the plot in question from whom co-accused Sanjeev Gupta had purchased the plot in question is stated to be not traceable.

Insofar as the role of the applicant herein is concerned, he is only the contractor and had carried out demolition in the plot in question at the instance of co-accused Sanjeev Gupta, who has already been granted anticipatory bail.

Keeping in view the above facts and circumstances, the applicant namely Manoj Kumar is admitted to anticipatory bail on furnishing PB & SB each in the sum of Rs.20,000/- to the satisfaction of IO/SHO concerned, subject to the condition that he shall join the investigation and cooperate in the same and shall present himself before the IO/SHO concerned as and when asked to do so.

The anticipatory bail application of the applicant Manoj Kumar stands allowed in above terms.

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

As prayed, copy of the order be given dasti to learned counsel for the applicant.

(Vandana Jain)

ASJ-03 & Special Judge (Companies Act)
Dwarka Courts (SW)/New Delhi/12.02.2025