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

% *Date of Decision: 02.04.2026*

+ **BAIL APPLN. 2786/2025 & CRL.M.A. 21726/2025**

NITIN KAUSHIK

.....Petitioner

Through: Mr. Ashish Kumar and Mr. Narender
Singh, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with SI Deepak, PS DIU.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No. 306/2024 of Police Station Shahbad Dairy, Delhi for offence under Section 419/420/467/468/471/120B/34 IPC.

1.1 This bail application came up for the first hearing on 28.07.2025 before the predecessor bench and thereafter continued getting adjourned before different benches. Along with 179 such old pending bail applications, this application also was transferred to this bench.



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1.2 Today is the first hearing before me.

2. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/SI Deepak.

3. Broadly speaking, prosecution case is as follows. The complainant *de facto* Smt. Anjali Jain lodged a complaint alleging that she came to know from a local property dealer that someone had forged title documents of her immovable property and was trying to sell away the same. The complainant *de facto* further alleged that she saw the alleged title document, which is a registered sale deed on the official website of Delhi Government. According to the complainant *de facto*, the said sale deed dated 21.10.2022 falsely portrayed her as the vendor, and someone had impersonated in her name and fabricated the sale deed with false identity documents and PAN details. Further, it was revealed during investigation, that on the basis of the said allegedly forged sale deed, someone had availed housing loan from LIC Housing Finance Ltd. Thus, according to prosecution, the victims of the alleged fraud and forgery were the complainant *de facto* and the LIC Housing Finance Ltd. During investigation, from loan records of LIC Housing Finance Ltd., it was found that one Hemlata Chaudhary had applied for loan on the basis of those allegedly forged title documents and a loan of Rs. 90,00,000/- was sanctioned and credited into her account. The investigation found that accused Vishnu Babu was the verifier of Hemlata Chaudhary and he was arrested. The accused Vishnu Babu in his disclosure statement alleged that the present accused/applicant (*Nitin*) and three more



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persons had conspired together. During further investigation, the loan facilitator Pawan was interrogated and he stated having received illegal gratification of Rs. 2,00,000/- for facilitating the loan and that amount was received partly in cash and partly through banking channels from the present accused/applicant. The accused Pawan also stated that the present accused/applicant had sent him, on mobile phone, copies of the allegedly forged title documents and other documents related to identity and work profile of Hemlata.

4. Against the above backdrop, learned counsel for accused/applicant submits that the accused/applicant is innocent and has been falsely implicated in this case, without any role. It is alleged that there is no material collected in investigation to show that the accused/applicant was in any manner a party to forge the subject title documents and there is also no evidence to show any financial connection between him and co-accused Pawan.

5. Learned APP for State contends that the accused/applicant was involved in facilitation of loan in favour of Hemlata Chaudhary on the basis of forged title deeds. It is also submitted that mobile phones of Pawan and the accused/applicant were seized by the IO and the same have been sent to FSL. Learned APP for State also submits that there are bank transactions between the accused Pawan and the present accused/applicant, which show his complicity.



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6. In nutshell, the allegation against the present accused/applicant is that he conspired with the other accused persons in obtaining loan on the basis of allegedly forged title documents and the only evidence against him is pictures of the allegedly forged title documents in his mobile phone. The IO submits that he did not retain mirror image of the contents of the mobile phone of Pawan and/or the present accused/applicant before sending the same to FSL and admittedly, FSL on account of its heavy work load is not expected to deliver report soon. As regards the money allegedly received by Pawan from the present accused/applicant, despite specific submissions in the status report that a part of that amount was paid through bank, no bank statement has been shown to me. Most importantly, there is nothing to rule out that the accused/applicant himself was under mistaken impression that the title documents, which (*even if it is believed*) he transmitted over mobile phone to Pawan were genuine documents.

7. Considering the overall circumstances mentioned above, I find no reason to deny liberty to the accused/applicant.

8. Therefore, the application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be released on bail, subject to his furnishing a personal bond in the sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of the IO/SHO concerned. It is also directed that the accused/applicant shall join investigation as and when directed in writing by the IO.



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9. Nothing observed in this order shall be read to the prejudice of either side at the stage of final arguments.

10. Pending application also stands disposed of.

**GIRISH KATHPALIA
(JUDGE)**

APRIL 2, 2026/dr