



2025:DHC:6911



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**IN THE HIGH COURT OF DELHI AT NEW DELHI***Reserved on: 31.07.2025**Date of Decision: 14.08.2025*

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BAIL APPLN. 3623/2024

PRAVESH KUMAR

.....Petitioner

Through: Mr. Panna Lal Sharma, Adv.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Raghuinder Verma, APP  
for State and Mr. Aditya Vikram Singh,  
Adv. along with SI Ravi Poonia, PS  
Dayalpur.

**CORAM:****HON'BLE MR. JUSTICE AJAY DIGPAUL****J U D G M E N T**

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1. The Petitioner, through the present application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 439 of the Code of Criminal Procedure, 1973), seeks regular bail in FIR No. 391/2023 under Sections 420, 467, 468, 471, and 120-B of the Indian Penal Code, 1860, registered at P.S. Dayalpur, Delhi.

**Factual Background**

2. The case arises out of FIR No. 391/2023 dated 27.05.2023, based on a written complaint filed by one Mohd. Hamid. The allegations pertain to a property fraud involving House No. D-7/63, Dayalpur, Delhi<sup>1</sup>, measuring 200 square yards, which the complainant

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<sup>1</sup> hereinafter "subject property"



claims to have purchased from the present petitioner, Pravesh Kumar, on the basis of forged and fabricated documents.

3. The complainant states that the transaction was initiated on 27.10.2022, when a meeting took place at the residence of the petitioner. In the presence of several persons, including the petitioner's father Chhote Lal, wife Suman Lata, daughter, and others, a token amount of Rs. 2,00,000/- was paid by the complainant. Subsequent cash payments were made on 28.10.2022 (Rs. 8,00,000/-), 15.11.2022 (Rs. 5,00,000/-), 27.04.2023 (Rs. 20,00,000/-), 28.04.2023 (Rs. 6,00,000/-), 30.04.2023 (Rs. 10,00,000/-), and 05.05.2023 (Rs. 21,00,000/-), aggregating to a total of Rs. 72,00,000/-.

4. On 02.05.2023, the complainant was allegedly handed over the executed documents, including the General Power of Attorney, Agreement to Sell, Possession Letter, Will Deed, Receipt, and Affidavit, all purporting to vest title in the complainant. The complainant further claims that on 05.05.2023, he was made to sign and affix thumb impressions in furtherance of the transaction.

5. Trouble arose on 09.05.2023, when the complainant received information that unknown persons had broken the locks of the subject property and entered the premises. Upon reaching the site, the complainant encountered one Ratan Lal and his nephew Vinod, who claimed ownership over 125 square yards of the property. Ratan Lal also made a PCR call, wherein it was alleged that 5–6 Muslim were attempting to encroach upon the property. Ratan Lal allegedly denied



ever executing any relinquishment or transfer deed in favour of the petitioner and presented his own title documents asserting ownership.

**6.** The complaint prompted an investigation, during which the complainant produced the entire set of transactional documents. These included the registered deed dated 02.05.2023 and a relinquishment deed dated 12.09.2022, allegedly executed by Chhote Lal and his daughters, Kalpana Devi, Anita, and Himanshi, in favour of the petitioner. The documents were taken into possession by the Investigating Officer<sup>2</sup> through seizure memos.

**7.** During the course of investigation, the statements of key witnesses namely Ezaj, Imran, Sajid and Arif were recorded. Ezaj, who is stated to have facilitated the introduction between the complainant and the petitioner, deposed that in September 2022, the petitioner had represented himself to be the absolute owner of the entire property measuring 200 square yards and expressed his intention to sell the same for a sum of Rs. 75 lakhs on account of financial distress. It was mutually agreed amongst the group that the property would be purchased in the name of the complainant, Mohd. Hamid, with the objective of subsequently reselling it at a profit. The sale was ultimately concluded for a consideration of Rs. 72 lakhs. The petitioner is alleged to have confirmed that the entire title vested in him and further asserted that his family members had relinquished their respective shares in his favour.

**8.** It subsequently came to light that Ratan Lal, the petitioner's paternal uncle, had, in fact, been in joint ownership of the subject

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<sup>2</sup> hereinafter "IO"



property. As per his version, in 1981, he and his brother Chhote Lal had purchased the 200 square yard property in equal shares. In 2001, Ratan Lal further purchased 25 square yards from Chhote Lal, thus owning 125 square yards. He stated that he had never relinquished or transferred any portion of the land in favour of the petitioner and produced title documents evidencing the same.

**9.** The investigation further uncovered that the petitioner had secured a loan of Rs. 3.6 lakhs from one Sunita Rai in 2021 by mortgaging documents pertaining to the 75 square yard portion of the property. A written agreement was executed between Sunita Rai and Chhote Lal, signed by the petitioner as a witness. Despite several payments made over time, Sunita Rai confirmed that approximately Rs. 3 lakhs remained outstanding. She produced the original agreement and title documents in support of her claim.

**10.** The IO also discovered that the petitioner had, in collusion with one Deepak Aggarwal, fabricated multiple sets of title documents. These included two distinct and inconsistent relinquishment deeds, both registered before the Sub-Registrar, Seelampur. It was also found that forged documents were used by the petitioner and co-accused to secure a loan of Rs. 5 lakhs from IIFL Finance.

**11.** It is further alleged that the petitioner represented his deceased mother, Premwati, as the original owner of the entire 200 square yards, and created a false chain of title in her name dating back to 1981. The petitioner then purported to have derived title by virtue of the 2022 relinquishment deed. However, in the earlier chain of title

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mortgaged with IIFL Finance and Sunita Rai, the initial purchaser was shown as Chhote Lal, thereby creating two parallel and irreconcilable ownership narratives.

**12.** During custodial interrogation, the petitioner is stated to have admitted to having prepared these documents with the assistance of Deepak Aggarwal and others, and to having received Rs. 72 lakhs from the complainant. It is also stated that he distributed the proceeds among his family members, Deepak Aggarwal and Rakesh.

**13.** The petitioner was arrested on 20.06.2023 and has remained in judicial custody since. The chargesheet was filed on 16.09.2023. The co-accused persons, including Chhote Lal, Suman Lata, Abhishek and Nishant, and three daughters of Chhote Lal, have secured interim relief. The investigation, as per the chargesheet, reveals that the petitioner acted as the principal conspirator in orchestrating the fraudulent transfer of the subject property through forged documents, thereby defrauding the complainant of Rs. 72 lakhs.

#### **Submissions made by the petitioner**

**14.** Mr. Panna Lal Sharma, learned counsel appearing on behalf of the petitioner, submits that the petitioner has been in judicial custody since 20.06.2023 and has undergone more than two years of incarceration. It is pointed out that although charges were framed on 03.04.2025 by the learned Additional Chief Metropolitan Magistrate, North-East, Karkardooma Courts, the matter has not proceeded to the stage of evidence, primarily due to the pendency of the FSL report in relation to the impugned documents. It is submitted that the petitioner



is no longer required for custodial interrogation and that continued detention would serve no useful purpose.

**15.** Learned counsel further submits that the allegations pertaining to the preparation of forged documents are also levelled against co-accused Deepak Aggarwal, who is stated to have been the primary person responsible for fabricating the documents forming the basis of the alleged transaction. It is pointed out that Deepak Aggarwal was granted regular bail by the learned trial Court *vide* order dated 21.10.2023 and remained in custody for a period of only twenty days.

**16.** Attention is also drawn to the case of co-accused Nishant Verma, the petitioner's son, who is stated to be similarly placed and has been granted regular bail by the Court of the learned Additional Sessions Judge, North-East, Karkardooma Courts, on 16.08.2024.

**17.** It is submitted that co-accused Shivani Verma and Pooja Aggarwal were granted anticipatory bail by the learned Additional Sessions Judge *vide* order dated 17.07.2023. The remaining co-accused, namely Anita, Himanshi, Kalpana, Suman Lata, and Chhote Lal, are stated to be under interim protection granted by this Court.

**18.** In these circumstances, the petitioner seeks similar indulgence and invokes the principle of parity and submits that out of the total of eleven accused persons named in the case, eight have already been granted regular or anticipatory bail, or have been afforded interim protection.

**19.** Learned counsel next contends that the transaction in question involved the payment of the entire consideration amount in cash, which, it is submitted, is in contravention of the applicable income tax



laws. Furthermore, it is submitted that the documents allegedly executed by the petitioner are unregistered and therefore inadmissible in evidence under the prevailing legal framework.

**20.** It is urged that the case against the petitioner rests solely on documentary evidence, all of which is already in the possession of the investigating agency. In the absence of any apprehension of tampering with evidence or influencing witnesses, it is argued that no purpose would be served by further incarceration of the petitioner. The petitioner undertakes to cooperate with the investigation and the trial and to appear before the Court or the IO as and when required.

**21.** Learned counsel submits that the petitioner is a 50-year-old individual with no prior criminal antecedents and is a person of respectable standing with deep roots in the community. It is asserted that the petitioner poses no flight risk and will abide by any condition that may be imposed by the Court. The petitioner also undertakes to furnish sound and solvent surety to the satisfaction of the Trial Court.

### **Submissions made by the respondent**

**22.** On the other hand, Mr. Raghuvinder Verma, learned Additional Public Prosecutor for the State, opposes the present application and submits that the allegations against the petitioner are of a grave and serious nature. The petitioner is alleged to be the mastermind in a criminal conspiracy involving the execution of forged and fabricated property documents to defraud the complainant of a substantial amount, namely Rs. 72 lakhs.



**23.** Learned APP submits that the petitioner falsely projected himself as the absolute owner of the entire subject property and induced the complainant to enter into a sale transaction based on falsified documents including an Agreement to Sell, General Power of Attorney, Will, Possession Letter, and Receipt Deed dated 02.05.2023. It is further pointed out that these documents were found to be unregistered and forged.

**24.** The prosecution relies on the statements of key witnesses, who confirm that the petitioner represented himself as the owner and received the cash consideration. It is submitted that the petitioner reiterated his sole ownership and falsely claimed that other family members had relinquished their rights in his favour, which was later found to be incorrect.

**25.** The learned APP further submits that one of the purported relinquishment deeds was executed in the name of a person who had expired before the alleged date of execution. Another portion of the same property was already mortgaged to one Sunita Rai, and a significant share in the property is stated to be legally owned by Ratan Lal, the uncle of the petitioner, who has expressly denied any such relinquishment in favour of the petitioner.

**26.** It is contended that the petitioner, in connivance with co-accused Deepak Aggarwal and others, had not only prepared false documentation to defraud the complainant but also used the same forged set of documents to secure a loan from a non-banking financial company. The petitioner is further stated to have multiple call records





with co-accused Deepak Aggarwal, who prepared the forged documents.

**27.** The prosecution also places reliance on videographic evidence purportedly showing the petitioner receiving and counting the cheated amount. It is further submitted that the petitioner has not cooperated with the investigation and has failed to provide any credible information regarding the recovery of the cheated sum. Additionally, the petitioner did not disclose recovery details of his old mobile phone which was allegedly used during the commission of the offence.

**28.** It is submitted that there is still a substantial outstanding recovery amount, and that the petitioner has not disclosed a permanent address. The prosecution apprehends that the petitioner, if enlarged on bail, may influence or intimidate witnesses, and may misuse the liberty to derail the ongoing proceedings. Concerns have also been raised regarding the possibility of tampering with evidence and committing similar offences if released.

**29.** In view of the foregoing facts and the serious nature of the allegations, learned APP prays that no case for grant of regular bail is made out and that the present application deserves to be dismissed.

### **Analysis**

**30.** Having heard both parties and upon perusal of the record, this Court is of the opinion that the allegations against the petitioner are of a grave and serious nature. The material placed on record discloses a systematic and deliberate criminal conspiracy involving multiple forged and fabricated documents, *inter alia* a forged relinquishment



deed, agreement to sell, possession deed, and General Power of Attorney, purportedly executed in favour of the petitioner. It has clearly emerged during the course of investigation that these documents were used by the petitioner to wrongfully claim ownership over a property admeasuring 200 square yards and to subsequently sell to that an unsuspecting third party. The said property, as per record, was never owned by the complainant but was in fact owned by one Ratan Lal, further strengthening the inference that the entire transaction was a calculated act of deception.

**31.** The involvement of the petitioner is not restricted to the defrauding of the complainant Mohd. Hamid alone. As noticed in the preceding paragraphs, the petitioner was also the central figure in defrauding Sunita Rai, from whom he procured a sum of Rs. 3.6 lakhs by mortgaging forged and fabricated documents purporting to relate to the same property. Additionally, he availed a loan of Rs. 5 lakhs from IIFL Finance, again using forged documentation. These facts, duly supported by material collected during investigation, establish a clear *modus operandi* adopted by the petitioner to orchestrate multiple acts of fraud and forgery by exploiting falsified property documents to gain illegal pecuniary benefits from multiple victims.

**32.** This Court is also not persuaded by the contention raised on behalf of the petitioner seeking parity with other co-accused who have been granted anticipatory or regular bail. It is well settled that the principle of parity cannot be invoked in a mechanical manner, without a nuanced appreciation of the role attributed to the accused. As held in multiple decisions of the Hon'ble Supreme Court, the grant of bail on



the ground of parity must be preceded by a careful consideration of the nature and extent of involvement of the accused in the commission of the alleged offence. In the present case, although it may be true that certain allegations levelled against the petitioner's family members and others are similar or overlapping, the role ascribed to the present petitioner is specific and *prima facie* indicative of a central position in the whole conspiracy. From the materials available on record, it appears that the entire *modus operandi* of forging documents and using them to deceive multiple victims, was initiated and orchestrated at the behest of the petitioner. The Court is therefore constrained to hold that the petitioner's role is materially distinguishable and graver than the other accused. Granting bail on mere parity, without considering these distinctions, would amount to a non-application of mind.

**33.** This Court is, therefore, of the view that the present case does not pertain to a solitary or isolated act, but rather reveals a consistent pattern of criminal conduct, displaying a deliberate and repeated attempt to subvert lawful processes and defraud individuals and financial institutions. The petitioner appears to be the principal conspirator in the orchestrated use of forged documents for personal gain. The existence of a strong *prima facie* case, supported by evidence collected during investigation, including seizure of incriminating documents and their referral for forensic examination, further reinforces the allegations. In such a situation, the element of criminal antecedents, coupled with the likelihood of repetition of similar offences, looms large.



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**34.** In view of the forgoing discussion, this Court is of the view that it is not appropriate to enlarge the petitioner on bail at this stage. Accordingly, the bail application is dismissed.

**35.** It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

**36.** The judgment be uploaded on the website forthwith.

**AJAY DIGPAUL, J**

**AUGUST 14, 2025/gs/yr**