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

+ **BAIL APPLN. 2406/2025**

SHANKAR

.....Petitioner

Through: Mr. Mohan Rao, Senior Advocate
with Mr. Lokesh Kumar Sharma,
Advocates

versus

GOVERNMENT OF NCT OF DELHI & ANR.Respondents

Through: Ms. Manjeet Arya, APP for the State
with SI Saurabh Arora

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

08.07.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

CRL.M.A. 19096/2025 & CRL.M.A. 19097/2025 (exemption)

1. Allowed, subject to all just exceptions.

BAIL APPLN. 2406/2025 & CRL.M.A. 19098/2025 (for directions)

2. The petitioner seeks anticipatory bail in case FIR No.291/2020 of PS Maidan Garhi, District South for offences under Sections 420/468/471/120B IPC. Broadly speaking, the allegation against the accused/applicant is that he forged the documents of sale of immoveable property. It is also alleged that the notarization on some of the sale documents was found fake.

3. Learned APP accepts notice. On instructions of SI Saurabh, it is submitted by the learned APP that FSL report is to the effect that the signatures on the subject documents were not genuine and same is the statement of the Notary Public. But on being asked to show the investigation file, the learned



APP expresses inability as the same has not been brought and that SI Saurabh is not the IO.

4. It is shocking to note that despite repeated directions, neither the IO nor the SHO has appeared. SI Saurabh has appeared but without the investigation file. This in itself shows the scant regard for liberty in the eyes of the concerned IO and SHO. It could also entail grant of anticipatory bail because the police does not seem interested in opposing the same. Earlier, the Investigating Officers used to brief the prosecutor in the evening before the hearing or at least early morning on the date of hearing. Now it is being noticed that, what to say of briefing the prosecutor in evening before the hearing or early morning, the investigators either would not appear or would brief the prosecutor only after hearing has commenced.

5. But despite such conduct on the part of police, I consider it would be appropriate to grant opportunity to the State to file a formal status report. The same be filed within four weeks. Till the next date, the accused/applicant shall not be arrested, though he shall join the investigation as and when directed in writing by the IO.

6. Copy of this order be sent to the concerned DCP with the expectation that some serious efforts would be done to streamline the system.

7. Relist on 27.08.2025.

GIRISH KATHPALIA, J

JULY 8, 2025

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[Click here to check corrigendum, if any](#)