

**1 BAIL MATTERS 264/2026
THE STATE Vs. SUNIL
FIR No.77/2026 (Bhajan Pura)**

06.04.2026

This is the second application under Section 482 BNSS, 2023 for granting anticipatory bail moved on behalf of applicant/accused.

Present: Sh. Abhishek Pandey, Ld. Addl. PP for State.
Sh. Amit Tanwar with Sh. Praveen Tanwar and Sh. Asif, Ld. Counsels for complainant.
Sh. R.K.Kochar with Sh. Pragyajeet Singh and Ms. Pragati Tripathi, Ld. Counsels for applicant/accused.
IO ASI Narayan Pati in person.

Arguments heard from both the sides.

Some Judgments have been filed by Ld. Counsel for accused as well as Ld. Counsel for complainant.

Put up for orders at 4:00 PM.

**(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
06.04.2026/mj**

At 4:00 PM

Present: As above.

I have heard arguments and perused the judgments filed on behalf of both the sides.

It is submitted by Ld. counsel for applicant/accused that applicant along with his family is falsely implicated, rather it is

the accused and his family members who had received grievous injuries in this case. Six accused persons have received grievous injuries in this case. Further, all the offences provide for punishment less than seven years and applicant/accused is willing to join the investigation. Hence bail is prayed.

Ld. Counsel for applicant/accused has relied on judgment Jagdish Nautiyal vs. State 2013 (1) JCC 311 of High Court of Delhi, Mahesh Chand vs. The State (GNCT of Delhi) & Ors. in bail application no.1146/2018 of Hon'ble High Court of Delhi, Kamaldeep vs. The State (GNCT of Delhi) & Ors. in bail application no.1148/2018 of Hon'ble High Court of Delhi, Jatin Arora vs. State 2008 I AD (Cr.) (DHC) 55 (Delhi High Court), bail application no.791/2007 and Sunil @ Neeraj vs. The State NCT of Delhi in bail application no.58/2022 of Hon'ble High Court of Delhi.

It is also argued that complainant Satpal was discharged on same day while applicant Sunil received 25 stitches on his head. Other accused persons had to be operated and rod is implanted in the arm of one co-accused and in the leg of another co-accused. It is submitted that accused is still under treatment. Further, IO has deliberately not obtained final result on the MLC of complainant.

It is further argued that only because Section 82 Cr.P.C proceedings are initiated against applicant, is not a ground to deny bail if it is made out otherwise on merits. It is further submitted that

applicant had given loan of Rs.13 lakhs to complainant Satpal

which he is is not returning, due to which false FIR is lodged against him. Ld. Counsel also points out towards the earlier FIR, which was got registered by both the parties against each other. It is submitted that a typed complaint was filed later on.

On the other hand, it is submitted by Ld. Addl. PP duly assisted by Ld. counsel for complainant that it is a new fact that ₹13 lakhs loan was given, which is introduced by Ld. counsel for complainant at this stage. It was never mentioned in their complaint nor was it mentioned at the time of previous dispute. It is submitted by Ld. Addl. PP for state that it has already come on record before this Court when the earlier anticipatory bail application of applicant was filed that there are NBW's against him and now Section 82 Cr.P.C proceedings have also started. It is also submitted that while hearing the bail application of Satpal in FIR no.76/2026, it has come on record that applicant Sunil is absconding but joined through VC only in order to oppose the bail of Satpal. It is submitted that considering the conduct of applicant Sunil, he is not entitled to bail.

It is also submitted that weapon of offence in this case is yet to be recovered besides further investigation and he is not joining the investigation.

Ld. Counsel for complainant has relied upon the judgments Srikant Upadhyay & Ors. vs. State of Bihar & Anr. 2024 of Hon'ble Supreme Court of India Special Leave Petition

-4-

(Crl.) No.7940/2023. This Court has considered the submissions of both the sides and perused the record.

Ld. Counsel for applicant has made detailed submissions where upon submitting that bail cannot be denied, even if Section 82 Cr.P.C proceedings are initiated. However, no satisfactory explanation given for not joining the investigation. When the earlier anticipatory bail application of Sunil was filed, at that time also, it had come on record that there are NBWs against him and he is not joining the investigation.

Further, the conduct of applicant is evident when he appeared before this Court through VC on 1st April 2026 during bail hearing of Satpal in FIR no. 76/2006 in order to oppose the bail. On the one hand he is not joining investigation in this case and on the other hand, he is appearing through VC in order to oppose the bail in FIR no.76/2026. But he is not available at his address as is mentioned by IO in his report.

At this stage, neither the applicant nor any of the co-accused have joined the investigation and as submitted by Ld. Addl. PP that weapon of offence is also to be recovered along with information about other co-accused, this Court is not inclined to admit him to anticipatory bail. Hence, the application is dismissed.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
06.04.2026/mj