

Bail Matters 245/2026
STATE OF DELHI Vs. MANISH SHARMA
FIR NO. 156/2025
PS (Inder Puri)

16.03.2026

Present: Sh. Vikas, Ld. Addl. PP for State.
Ms. Bhumika Aggarwal, Sh. Darsh Bansal and Sh. Malay Swapnil and , Ld. Counsels for non-applicant /accused.
Applicant /IO Manish Kaushik in person.

This is an application for cancellation of anticipatory bail granted to accused **Manish Sharma**, vide order dated 25.07.2025 filed by IO SI Manish.

1. Further report filed by the IO today in terms of previous order dated 14.03.2026.

2. Ld. Addl. PP for State along with IO have submitted that after grant of anticipatory bail, accused has been evading joining investigation, despite issuance of multiple notices to join investigation. It has been stated that accused had joined investigation only on one date i.e 16.11.2025, on which date notice to join further investigation was received personally by accused. However, thereafter the accused again failed to join investigation and therefore, the present application has been filed. It is further submitted that accused still failed to co-operate after joining investigation on 16.03.2025 and recently it has come to light that another complaint has been given against him regarding similar *modus operandi* in committing similar offence at PS Ghazipur dated 28.10.2025. Specifically it has been

submitted that accused has failed to reveal the details of the person who was introduced by him as owner of the case property i.e. vehicle bearing no. DL12CU 3698 and the details of the person visible in a photograph with him on his Instagram account, which person has been identified from the photograph by complainant as the person introduced to her as owner of the above said vehicle.

3. On the other hand, it has been argued on behalf of accused that ever since grant of anticipatory bail in this case, IO has been harassing the accused by asking him to join investigation repeatedly. It has been submitted that accused has intimated his difficulty in joining investigation to IO earlier also. It has been further submitted that during investigation, IO has been asking accused to produce the details of the person introduced as owner of vehicle, but he has already stated to the IO that he does not know the complainant and has never met her. Therefore, there is no non co-operation from the side of accused and the present application is nothing but an abuse of the process of law.

4. Arguments have been heard. Record has been perused.

5. On the aspect of cancellation of bail in non bailable offence, the Supreme Court in the case titled and reported as **“Dolat Ram & Ors. v. State of Haryana (1995)1 SCC 349”** has observed as follows :

“5. Rejection of bail in a non-bailable case at the initial stage and the cancellation of bail so granted, have to be considered and dealt with on different basis. Very cogent and overwhelming circumstances are necessary for an order directing the cancellation of

the bail, already granted. Generally speaking, the grounds for cancellation of bail, broadly (illustrative and not exhaustive) are: interference or attempt to interfere with the due course of administration of Justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner. The satisfaction of the court, on the basis of material placed on the record of the possibility of the accused absconding is yet another reason justifying the cancellation of bail. However, bail once granted should not be canceled in a mechanical manner without considering whether any supervening circumstances have rendered it no longer conducive to a fair trial to allow the accused to retain his freedom by enjoying the concession of bail during the trial. These principles, it appears, were lost sight of by the High Court when it decided to cancel the bail, already granted. The High Court it appears to us overlooked the distinction of the factors relevant for rejecting bail in a non- bailable case in the first instance and the cancellation of bail already granted.

6. However, in the instant case, the case of the IO is not that any condition of anticipatory bail has been violated in any specific sense, rather he is pleading violation of anticipatory bail order dated 25.07.2025 on the ground of deliberate non co-operation by the accused in investigation.

7. The ground of non co-operation has been claimed specifically in the context of revealing the details of the person seen with accused in a photographs from his Instagram account, identified by complainant as having impersonated the owner of vehicle in question. IO has produced the interrogation report of accused dated 16.11.2025 and 14.03.2026 before court and the same has been perused. In specific question by IO put to the accused regarding the identity of the person visible with him in photograph, the accused has

given evasive response, merely stating that he never met complainant and so never introduced anybody to complainant. That may be so, but for further investigation, if IO is asking about the details of a person visible with accused in a photograph, then response to the same does not appear to be self incriminating in any manner for the accused and therefore, to avoid answering such question before IO, only results in an adverse inference against the accused. Today it has been submitted that accused was unaware of the person shown in that photo, but why accused failed to respond to the same before IO has not been explained. The accused has also failed to explain his previous conduct of not joining investigation, despite admitting before court on 14.03.2026 that he had received notices through his brother which clearly establishes lack of co-operation of accused in joining investigation.

8 In view of the above discussion, it is clear that supervening events have taken place after grant of anticipatory bail dated 25.07.2025, the most essential being the evasiveness of responses given by accused at the time of his interrogation during investigation and his non cooperation in joining further investigation repeatedly as required by the IO.

9. The principle of law that joining of investigation after grant of protection against arrest is not same as joining investigation otherwise, can not be ignored in this case. In this regard, reliance is placed upon the observation of **Hon'ble Supreme Court of India** in '*State v. Anil Sharma (1997) 7 SCC 187*', wherein it has been held that interrogation of accused enjoying protection from court is

qualitatively different in comparison to interrogation without protection of court.

10. In view of the above discussion, it can be safely concluded that accused has not co-operated during investigation of this case after grant of anticipatory bail dated 25.07.2025. Accordingly, the present application for cancellation of bail is allowed. Accused is directed to surrender before concerned SHO / IO by 19.03.2026. **Application is accordingly disposed off.**

Copy be given *dasti* to all parties concerned.

(Deepti Devesh)
Roster Judge/ASJ/Spl.FTC/16.03.2026