

IN THE COURT OF MR. HARGURVARINDER SINGH JAGGI,
ADDL. SESSIONS JUDGE (FTC– 01), SOUTH DISTRICT,
SAKET COURTS, NEW DELHI

Bail Matter No.: 961/2026	
CNR No.: DLST01-005658-2026	
FIR No.: 650/2017	
Police Station: Ambedkar Nagar	
u/Section: 307, 174A, IPC 1860 27 Arms Act	

IN THE MATTER OF:

STATE

... Non-Applicant

Through – Mr. Santosh Kumar, Additional
Public Prosecutor for the State.
Inspector Neeraj Kumar, SHO
PS – Ambedkar Nagar

v.

ABHISHEK ALIAS BHOLA

... Applicant

Through – Mr. Anil Basoya / Mr. Balveer
Singh, Advocate for the
Accused.

Date of filing of bail application:	14.05.2026
Date of reserving order:	03.06.2026
Date of pronouncement of order:	04.06.2026

ORDER

04.06.2026

1. The State, through Inspector Neeraj Kumar, SHO PS Ambedkar Nagar, has moved an application seeking cancellation of the regular bail granted to the non-applicant/accused, Abhishek @ Bhola, in relation to FIR No. 650/2017 registered at Police Station Ambedkar Nagar, South Delhi, under Sections 307, 174A of the Indian Penal Code, 1860 (IPC) and Section 27 of the Arms Act.

2. The non-applicant/accused, Abhishek @ Bhola, was granted regular bail by the Ld. ASJ-03 (South) vide order dated 14.11.2018. Since 28.04.2026, the accused has been in custody and is presently lodged in Central Jail No. 1, Tihar, in relation to a subsequent FIR No. 126/2026 registered at PS Ambedkar Nagar under Sections 103(1)/3(5) BNS.

Facts

3. The factual narration as traced from the FIR 650/2017 is as under:

3.1. On 22.12.2017 at about 8:45 PM, the complainant/injured, Yogesh, was returning to his house when he found three persons, namely Dheeraj @ Dheera, Abhishek @ Bhola, and Aman @ Yogi, already present near a *chabutra* at H-II Block, Madangir.

3.2. The accused persons abused and threatened the complainant with dire consequences. At the instigation of the accused Abhishek @ Bhola and Aman @ Yogi, accused Dheeraj @ Dheera took out a pistol and fired a shot with the intention to kill, striking the complainant on his back.

3.3. During the course of the investigation, the accused Abhishek @ Bhola was arrested, and upon conclusion of the investigation, the chargesheet was filed before the Court on 24.07.2018.

Application for Cancellation of Bail & Reply by Accused

4. The State, in the present application, has prayed that the regular bail granted to the accused on 14.11.2018 be cancelled, centering on the plank that he has grossly violated the conditions of bail and misused the liberty granted by the Court.

5. The primary contention lodged by the State is that the accused has again indulged in criminal activities, resulting in a fresh case being registered against him vide FIR No. 126/2026 under Sections 103(1)/3(5) BNS and the Arms Act for the murder of one Nikhil Nagar, for which he was arrested on 28.04.2026. Furthermore, the State asserts that the accused failed to appear before the Court without sufficient cause, leading to the issuance of non-bailable warrants (NBWs) against him on 09.04.2026.

6. The accused, Abhishek @ Bhola, in his reply to the cancellation application, vehemently opposed the State's prayer, contending that the rejection of bail and cancellation of bail stand on entirely different footings and require clear evidence of misuse of liberty. The accused asserts that mere registration of a fresh FIR does not establish guilt, he enjoys the presumption of innocence, and his non-appearance before the Court was not deliberate but due to circumstances beyond his control.

Submissions by Counsels

7. Mr. Santosh Kumar, learned Additional Public Prosecutor (APP) for the State, opened his arguments in tandem with the averments made in the cancellation application. The learned APP submitted that the accused was expressly directed by the Court vide the bail order dated 14.11.2018 not to indulge in any criminal activity and to appear on every date of hearing.

8. The learned APP further submitted that the accused's involvement in another heinous criminal case involving murder (FIR No. 126/2026) reflects his criminal propensity and establishes that allowing him to remain on bail would seriously prejudice the prosecution and society.

9. *Per contra*, Mr. Balveer Singh, learned counsel for the accused, rejoined his arguments by strongly contending the submissions advanced by the learned APP. The learned counsel urged that bail,

once granted, should not be cancelled in a routine or mechanical manner.

10. The learned counsel for the accused further submitted that the allegations in the new FIR are unproven and cannot be treated as a definitive proof of the misuse of bail, adding that the issuance of NBWs does not automatically justify the cancellation of bail.

Analysis & Findings

11. On careful perusal of the application, the reply filed by the accused, and the weighty arguments advanced by the learned counsel for the parties, the Court has to answer the question, whether the regular bail granted to the accused, Abhishek @ Bhola, ought to be cancelled?

12. It is a well-settled principle of criminal jurisprudence that the rejection of bail and the cancellation of bail are treated on different footings. The Hon'ble Supreme Court in ***Dolat Ram v. State of Haryana – (1995) 1 SCC 349*** laid down that very cogent and overwhelming circumstances are necessary for an order directing the cancellation of bail. The grounds for cancellation of bail include interference or attempt to interfere with the due course of administration of justice, evasion or attempt to evade the due course of justice, or an abuse of the concession granted to the accused in any manner.

13. Reaffirming these principles, the Apex Court in ***Ashok Dhankad v. State of NCT of Delhi – 2025 INSC 974*** and ***P. v. State of***

M.P. – (2022) 15 SCC 211 observed that for cancelling bail once granted, the Court must consider whether any supervening circumstances have arisen or if the conduct of the accused post-grant of bail demonstrates that it is no longer conducive to a fair trial to permit him to retain his freedom. The Court must assess whether the accused has misused the liberty granted or violated the conditions of bail.

14. In light of the above stated legal principles, evaluating the instant case reveals that the accused Abhishek @ Bhola was granted regular bail with the explicit conditions that he shall not indulge in any criminal activity and shall appear before the Court on each and every date of hearing. However, the record incontrovertibly reflects that the accused subsequently participated in a grave and heinous crime, leading to the registration of a murder case against him (FIR No. 126/2026), and actively evaded court proceedings, compelling the Court to issue Non-Bailable Warrants (NBWs) against him on 09.04.2026. This demonstrates a clear misuse of liberty and a brazen violation of the bail conditions.

15. Therefore, the answer to the pointed question about the cancellation of bail granted to the accused, Abhishek @ Bhola, is emphatic: *Yes*.

Decision

16. In view of the above deliberations and observations, the Court allows the application moved by the State and revokes the concession

of bail granted to the accused at this stage. Accordingly, the application moved by the prosecution, ***STATE Vs. ABHISHEK alias BHOLA (CANCELLATION OF BAIL) – Bail Matter No. 961/2026***, is **ALLOWED**. The regular bail granted to the accused Abhishek @ Bhola *vide* order dated 14.11.2018 stands cancelled.

17. Any observation made here-in-above for the purpose of dealing with the contentions raised during the hearing of the bail cancellation application shall not be deemed to be an expression on the merits of the case.

18. Let a copy of this order be transmitted to the accused, Abhishek @ Bhola, through the concerned Jail Superintendent (Central Jail No. 1, Tihar), and also given *dasti* to the accused through his counsel. Further, let a copy of the order be transmitted to the concerned IO/SHO, Police Station Ambedkar Nagar, for information and necessary compliance.

Pronounced in the open Court on June 04, 2026	(Hargurvarinder Singh Jaggi) Addl. Sessions Judge (FTC-01) South District Saket Courts, New Delhi
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Note: This order comprises of 7 pages in total. The electronic signature certificate (digital signature) of the Presiding Officer has been appended on the last page of the electronic or digital copy (PDF) of this document.