

Bail Matters 475/2026
STATE Vs. SAGAR VASHISHT
FIR No.39/2023
PS: Crime Branch-S.W.Delhi

16.03.2026

Present: Ms. Kamaljeet Kaur, Ld. Addl. PP for State.
Sh. Bibhas Bhardwaj and Sh. Harinder Pal Singh,
Ld. Counsels for applicant/accused.
Sh. Saurabh Sharma and Sh. Manoj Gupta, Ld.
Counsels for complainant.
Complainant in person (Through VC).
IO W/SI Meenu is present.

It is submitted by Ld. Counsel that applicant has not filed any other application seeking similar relief before any other Court of law.

This is fifth bail application moved on behalf of applicant/accused Sagar Vashisht under Section 483 BNSS, 2023 seeking regular bail stating that applicant is an innocent person and has been falsely implicated in this case. Applicant was arrested in this case on 19.05.2025. On 05.06.2023, interim bail was granted to applicant on the basis of mediation settlement and in compliance of mediation settlement, applicant has already gave Rs. 3,92,000/- to complainant. Thereafter, on 13.01.2025, applicant was declared proclaimed offender as he was misguided by his previous counsel who stated that his presence is not required by the Court. During course of arguemnts, Ld. Counsel for applicant submits that on behalf of applicant, he is further ready and willing to deposit sum of Rs. 4 Lakhs with the complainant before this Court. Applicant further undertakes to pay remaining amount in monthly installments of Rs. 20,000/- each. Applicant has also pay Rs. 20000/- as 1st installment to complainant on 06.03.2026. It is further submitted that applicant

is ready to abide by all the conditions which may be imposed upon him for grant of bail, therefore, applicant may be granted regular bail.

Reply filed by IO opposing the application. Be taken on record. Copy supplied.

Ld. Addl. PP for State as well as Ld. Counsel for complainant opposed the application stating that allegations against the accused are of serious in nature. There is strong apprehension of absconding as accused was arrested only after declaring PO. Two regular bail applications of applicant was already dismissed by Ld. ASJ-03 as well as by Ld. ASJ-04 vide order dated 21.12.2023 and 24.09.2025 respectively. There is no change of circumstance after dismissal of last bail application. Therefore, present application may be dismissed.

Arguments heard of both sides. Record perused.

This Court has considered the submissions of both parties and gone through the available record.

During course of arguments, Ld. Counsel for applicant submits that on behalf of applicant, he is willing to pay DD of Rs. 4 Lakhs to complainant today before this Court. However, complainant who is appearing through VC submits that he is not willing to settle the matter with accused as earlier also, he breached the terms and conditions of mediation settlement and not paid the settlement amount in accordance with that settlement.

Perusal of reply filed by IO reveals that applicant has not joined and co-operate into investigation despite repeated notices and initially was apprehended while attempting to leave the country. Charge-sheet has already been filed before the Court. Accused failed to comply with the terms of mediation settlement

on the basis of which he was granted interim bail and for that reason, interim bail of applicant was dismissed by Ld. Sessions Court vide order dated 05.10.2023. Despite dismissal of bail, accused failed to surrender before the Court.

During trial, accused failed to appear before the Court and was declared PO on 13.01.2025. Thereafter, accused was arrested on 18.05.2025. Applicant has no permanent address and he was arrested only after declaring PO, therefore, there is strong apprehension of absconding of applicant.

Perusal of order dated 21.12.2023 and 24.09.2025 also reveals that two regular bail applications of applicant was already dismissed by Ld. Sessions Court. One anticipatory bail application of applicant was also dismissed by Hon'ble High Court of Delhi vide order dated 08.02.2024. Perusal of order dated 24.09.2025 reveals that there is no change of circumstances after dismissal of last bail application of applicant.

Apprehension of absconding cannot be ruled out at this stage as earlier applicant was arrested only after declaring PO. Allegations against the accused are of serious in nature.

Hon'ble Supreme Court of India in the case of ***State of Maharashtra Vs. Captain Buddhikota Subha Rao, AIR 1989 SC 2292***, has held that successive bail applications can be entertained by the court when substantial case is established by the accused, which would entitle him for getting bail in successive bail application. The court should not pass the order of releasing him on bail in successive bail application merely establishing some cosmetic change during the period between two applications which would entitle the accused for bail.

In *Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and Anr.*, (2005) 2 SCC 42, Hon'ble Supreme Court of India observed as under:

"This court also observed that though the accused has a right to make a successive application for grant of bail, the court entertaining such subsequent bail applications has duty to consider the reason and grounds on which the earlier bail applications were rejected and in such cases, the court also has a duty to record what are the fresh grounds which persuaded it to take a view different from one taken in earlier application."

In *Kalyan Chandra Sarkar* case (Supra), it was also held by the Hon'ble Supreme Court that successive bail applications cannot be entertained only on the ground that the accused is in custody for a long period.

In view of the aforesaid facts and circumstances as well as aforesaid conduct of applicant, Court finds that at this stage, it is not a fit case for grant of bail. Hence, present application moved on behalf of applicant Sagar Vashisht for grant of regular bail is hereby **dismissed**.

Application disposed of accordingly.

It is clarified that nothing mentioned herein would tantamount to expression of opinion of this court on merits of the case as the same has been made only for the purpose of disposal of the present application.

Copy of order be given Dasti and be also sent to concerned Jail Superintendent for further information to accused.

(Shilpi M Jain)
ASJ-06 (South-West)
Dwarka Courts/16.03.2026 (sk)