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

+ CRL.M.C. 3576/2025 & CRL.M.A. 15737/2025 (Stay)

GAURAV SHARMA

.....Petitioner

Through: Mr. Maninder Singh, Sr. Adv. with
Mr. Vipul Lamba, Ms. Sanjana Nair
& Ms. Janvi, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Pradeep Gahlot, APP for the
State.
SI Shivpal Singh, P.S. Mayapuri.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **20.05.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 15738/2025(Exemption)

2. Allowed, subject to all just exceptions. The application stands disposed of.

CRL.M.C. 3576/2025 & CRL.M.A. 15737/2025 (Stay)

3. The present petition under Section 528 read with Section 483 (3) of the BNSS seeks the following prayers: -

“a. Quash and set aside the Order dated Order dated 01.05.2025 passed by Ms. Kadambari Awasthi, Ld. ASJ (FTSC), West, Tis Hazari Courts, in Bail Application No. 706/2025 titled as State vs Pavneet Singh Kochhar vide which Anticipatory Bail has been granted to the Respondent no. 2 in the FIR No. 40/2025, P.S. Mayapuri, U/s 303(2)/309(4)/61(2)/3(5) of BNS; 028 029 d. such

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other or further reliefs as may also be granted in favour of the appellant and against the respondent.”

4. Learned Senior Counsel appearing on behalf of the petitioner/complainant submits that learned ASJ *vide* impugned the order while noting the contentions made on behalf of the complainant as well as the State proceeded to grant anticipatory bail to the respondent no.2 on the ground that despite various efforts to call the Investigating Officer to explain certain part of investigation regarding custodial investigation of the respondent no.2, the latter did not appear or even bother to join the court proceedings through VC. It is further pointed out that the learned ASJ while granting anticipatory bail to respondent no.2 has ignored crucial facts, which have emerged in the investigation showing his active involvement.
5. Learned APP, on instructions of the Investigating Officer submits there is a proposal on behalf of the State to challenge the order granting anticipatory bail to respondent no.2.
6. Learned counsel, who appears on advance notice, enters appearance on behalf of respondent no.2, accepts notice and seeks time to file a response.
7. Response, if any, be filed before the next date of hearing.
8. List on 10.07.2025.

AMIT SHARMA, J

MAY 20, 2025/nk

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