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

+ **CRL.A. 949/2025 & CRL.M.A. 19581/2025**

SAMIM ANSARI

.....Appellant

Through: Ms. Warisha Farasat, Senior Advocate
with Ms. Tamanna Pankaj, Ms.
Suvarna, Mr. Ashutosh Shukla, Advs.

versus

NATIONAL INVESTIGATION AGENCY

.....Respondent

Through: Mr. B. Badrinath SPP for NIA.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

% **29.07.2026**

1. This hearing has been done through hybrid mode.

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2. The present application has been filed seeking condonation of delay of 6 days in refiling of the present appeal.

3. Mr. Badrinath, Id. Counsel for the NIA opposes the condonation of delay in this matter vehemently on the ground that the affidavits accompanying the present application as also the appeal were forged and that the photocopy of the signatures was affixed on the same. It is his submission that the initial filing of the appeal was without a proper affidavit or *vakalatnama* and hence was *non-est*. Further, according to Mr. Badrinath, Id. Counsel the filing of these affidavits constitutes forgery.



4. In the opinion of this Court, these objections were raised on 10th February, 2026 and the Court in order to be convinced of the genuinity and credibility of the *Pairokar* had directed his appearance on the next date *i.e.*, 24th March, 2026.

5. Today, the Appellant has joined virtually from the concerned jail and the relationship between the *Pairokar* and Appellant has been queried and the Appellant has answered accordingly. He has clarified that his *Pairokar* – Mr. Ukil Ansari is his real uncle (*chacha*) who has three children. Two are younger to the Appellant and one is his older cousin.

6. The Court is satisfied with the response of the Appellant. In the opinion of this Court, an appeal against an order rejecting bail could have in fact been entertained by this Court even without an affidavit especially when the accused is in jail.

7. Under these circumstances, any technical issues in the respective affidavits are not being gone into by this Court on merits, as at best this would be a case of technical default in the affidavit.

8. Let a fresh affidavit be filed by the Appellant himself in support of this appeal within two weeks.

9. In view of the above, the delay is condoned.

10. The present application is disposed of in above terms.

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11. The *Pairokar* and Appellant need not to appear in this matter, unless directed otherwise.



12. List for hearing on 18th November, 2026.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

JULY 29, 2026
Rahul/msh