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

CNR No. DLHC010401242026

+ **BAIL APPLN. 3535/2026**

ASHISH

.....Petitioner

Through: Mr. Himanshu Mathur & Mr.
Shubham Aggarwal, Advs.

versus

STATE OF NCT OF DELHI THROUGH SHO Respondent

Through: Mr. Ajay Vikram Singh, APP
IS Umair, PS Kanjhawala

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

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25.08.2026

1. This hearing has been done through hybrid mode.

CRL.M.A. 26376/2026 (seeking exemption)

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

BAIL APPLN. 3535/2026 & CRL.M.A. 26375/2026

3. The present application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS') seeking grant of anticipatory bail to the applicant in FIR No. 334/2026, registered at Police Station Kanjhawala, for the offences punishable under Sections 115(2)/140(3)/127(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the 'BNS') and Section 10 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as the 'POCSO Act').



4. Learned counsel for the applicant submits that the applicant was not named in the FIR and no allegation was made against him therein. It is submitted that the applicant's name surfaced for the first time during the course of investigation in the alleged disclosure statement of co-accused Inderjeet @ Golu. Learned counsel submits that there is no other material connecting the applicant with the alleged offences and that the applicant has been falsely implicated.

5. *Per contra*, learned APP for the State, who appears on advance notice, submits that although the victim was aware of the identity of the applicant, he was not aware of his name and, therefore, could not name him at the first instance.

6. Learned APP further submits that the victim was kidnapped by all the accused persons and was brutally beaten. It is submitted that thereafter the accused persons also attempted to burn the victim by pouring petrol/kerosene upon him.

7. Learned APP submits that the allegations against the applicant are serious and heinous in nature. It is further submitted that Section 307 IPC, corresponding to Section 109 of the BNS, has also been invoked against the applicant along with the co-accused persons and that a supplementary charge-sheet has been filed.

8. Heard both the learned counsel for the petitioner and the learned APP for the State.

9. The allegations against the applicant are that he, along with the co-accused persons, kidnapped the victim and gave him brutal beatings and thereafter poured petrol/kerosene oil upon him with the intention of burning him.



10. Even as submitted by learned counsel for the applicant, the applicant and the victim are residing in the same vicinity. In view of the nature and gravity of the allegations and the fact that the applicant and the victim reside in the same vicinity, there is a likelihood of the applicant threatening or influencing the victim, if granted the protection of anticipatory bail.

11. Keeping in view the nature and gravity of the allegations, the specific allegations of kidnapping, brutal assault and an attempt to burn the victim, as well as the possibility of the applicant threatening or influencing the victim, this Court is not inclined to exercise its discretionary jurisdiction in favour of the applicant.

12. Accordingly, the present application is dismissed.

13. The order be uploaded on the website *forthwith*.

MADHU JAIN, J

AUGUST 25, 2026/ys/P