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

+ **BAIL APPLN. 1476/2025**

KAMAL KALRA

.....Petitioner

Through: Mr. Raj Gaurav, Advocate with Mr. Brijesh Tiwari, Mr. Dev Karan, Mr. Kushal Mishra, Mr. Rajnish Pratap, Mr. Vimal, Mr. Asjad Imran, Mr. Nipun Dixit and Mr. Prashant Kumar.

Versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for State with Ms. Puja Mann, Advocate Mr. Satendra Yadav, Advocate for victim and victim in person.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

27.05.2025

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1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 440/2024, registered at Police Station Moti Nagar, Delhi, for the commission of offences punishable under Sections 110/118(1)/3(5)/74 of Bhartiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State.
3. The present case arises from a complaint lodged by Sh. Harish Kumar, who disclosed that his daughter Ms. Teesha had got married to the



applicant Kamal Kalra on 30.11.2023, but due to frequent quarrels with the accused and his family, she had started residing at her parental home. On 06.08.2024 at around 10:00 PM, the accused had visited the complainant's house and took his wife outside. Shortly thereafter, he had dropped her back, and she had informed her father/the complainant that the accused was demanding money from her. Around 11:30 PM, the accused had returned to the complainant's house along with his mother i.e. co-accused Ms. Dhani Rani @ Anju Kalra, and had again demanded money. Upon refusal, the accused had allegedly become violent and had started physically assaulting his wife. It is further alleged that co-accused Dhani Rani had provided a kitchen knife to the present accused/applicant, which was used to inflict injuries on the complainant, his wife Vaishali, and their daughter Teesha. All three injured were medically examined at Acharyashree Bhikshu Hospital. The present accused was arrested on 08.08.2024 and has been in judicial custody since then.

4. The learned counsel appearing for the applicant/accused argues that even if the allegations in the FIR and charge sheet are presumed to be true, the applicant is a first-time offender and is thus entitled to bail. It is argued that the incident stems from a domestic dispute involving the applicant, his wife, and her family members. It is submitted that there are inconsistencies in the statements of the complainant's family members—particularly regarding the time of the incident and the nature of allegations. Further, no mention of sexual assault, attempt to rape, or outraging of modesty was made in the FIR, but such claims were allegedly introduced later during statements recorded under Section 183 of BNSS, 2023. The learned counsel further points out the discrepancies in the timing of the incident as recorded



in the statements. It is also submitted that the CCTV footage also shows no brutal assault but rather a family dispute only. Moreover, the medical records show that the complainant and the victims were taken to the hospital at around 1:02 AM and were discharged shortly thereafter, indicating that the injuries were not of a grave nature. It is contended that the applicant has already undergone nearly nine months of incarceration, and with the filing of the charge sheet, no further custodial interrogation is warranted. On these grounds, the applicant prays that he be released on regular bail.

5. The learned APP for the State opposes the bail application, and argues that the allegations against the applicant are serious in nature. It is submitted that, in addition to the offences mentioned in the main charge-sheet, offences under Sections 109, 76, and 351 of the BNS are also attracted, and a supplementary charge sheet to that effect has already been filed. It is further argued that charges are yet to be framed and the key witnesses, including the complainant and the victim, are yet to be examined and thus, the possibility of the applicant influencing or threatening witnesses cannot be ruled out. The learned APP for the State also submits that the applicant is involved in another case arising from FIR No. 702/2024 registered at PS Moti Nagar, Delhi for offence under Sections 354/498A/34 of IPC, on the complaint of wife of the present applicant. Thus, it is prayed on behalf of the State that the present bail application be dismissed.

6. This Court has **heard** arguments addressed by both the parties and perused the material placed on record.

7. The allegations against the applicant Kamal Kalra are that following the ongoing marital discord, he had visited his wife Teesha at her parental home on the night of 06.08.2024 and demanded money from her. Later that



night, he had allegedly returned with his mother, co-accused Dhani Rani @ Anju Kalra, and had repeated the demand. Upon refusal, the applicant is stated to have become violent and physically assaulted the victims. It is further alleged that, on being handed a kitchen knife by his mother, the applicant had used the same to inflict injuries on his wife Teesha, father-in-law Harish Kumar (the complainant), and mother-in-law Vaishali. In the statement recorded under Section 183 of the BNSS before the learned Magistrate, the victim Vaishali (i.e., the mother-in-law of the applicant) also alleged that the applicant had torn her clothes with the intention to disrobe her.

8. The FIR specifically records that the applicant herein had allegedly used the said knife, as well as a steel spoon, pen, and other objects, to cause multiple injuries on the face and head of the victims. During investigation, the said knife and spoon, which were found containing blood stains, were seized by the I.O. The blood-stained clothes of the victims were also seized during the course of the investigation.

9. As per the medical records, all three victims were examined at Acharyashree Bhikshu Hospital. The doctors have opined that the injuries sustained by victims Harish Kumar and Vaishali (i.e., the in-laws of the applicant) are grievous in nature, while the injuries sustained by the victim Teesha are simple. Consequently, although the case was initially registered under the offence of attempt to commit culpable homicide, the same was later altered to the offence of attempt to commit murder, in the supplementary charge-sheet filed pursuant to the medical opinion received on the nature of injuries.

10. Insofar as the contentions regarding timing of incident, victims being



discharged on same day, CCTV being not corroborative of the allegations, etc. are concerned, the same can be of no help to the applicant at this stage in view of the medical evidence i.e. MLC of the victims which clearly reveal the nature of injuries sustained by the victims.

11. In view of the seriousness of the allegations against the applicant, the MLCs of the victims detailing the injuries sustained by them, the medical opinion categorising the injuries on two victims as grievous, and the fact that charges are yet to be framed and material witnesses are yet to be examined, this Court is of the opinion that the possibility of the applicant influencing or threatening the witnesses—who are closely related to him—cannot be ruled out at this stage. Therefore, no ground for grant of bail is made out.

12. The present bail application is accordingly dismissed.

13. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 27, 2025/vc

[Click here to check corrigendum, if any](#)