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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1562/2025**
KARTAR KASANAPetitioner
Through: Mr. Jagat Singh Baasta,
Advocate.
versus

STATE GOVT. OF NCT OF DELHIRespondent
Through: Mr. Sanjeev Sabharwal, APP
for the State with Insp. Satbir
Singh, PS Jaitpur.
Mr. M.P. Sinha, Ms. Bhavya
Rajshree, Mr. Ankit Kumar and
Mr. Satyam Mishra, Advocates.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
05.08.2025

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1. Applicant is before this Court seeking anticipatory bail for alleged offences attributed to him under Sections 80(2), 85 and 3(5) of BNS qua which an FIR No. 138/2025 dated 03.02.2025 has been registered at Police Station Jaitpur.
2. Matter was earlier heard by a Coordinate Bench of this Court when vide following order dated 24.04.2025, an interim concession was granted in the following terms:-

“3. The present application under Section 482 read with Section 528 of the BNSS seeks anticipatory bail in case FIR No. 138/2025, under Sections 80(2)/85/3(5) of the BNS, registered at P.S. Jaitpur.

4. Learned counsel appearing on behalf of the applicant submits that latter is the brother-in-law (dewar) of the deceased and is married to the younger sister of the deceased. It is further



submitted that allegations made in the FIR with respect to the present applicant are similar to those made against the mother-in-law and sister-in-law of the deceased who have since been granted anticipatory bail by the learned ASJ vide separate orders dated 01.04.2025. It is pointed out that the present applicant is the husband of the deceased's younger sister and the only reason for denying anticipatory bail to the present applicant was that he may threaten her, who is a witness in the present case. It is further submitted that the applicant is ready and willing to join the investigation as and when required by the Investigating Officer.

5. On a pointed query from the learned APP for the State, it is submitted, on instructions from the Investigating Officer, that so far no call or attempt have been made by the present applicant to contact his wife. It is also stated that the allegations qua the present applicant are similar to those made against the mother-in-law and sister-in-law of the deceased.

6. Issue notice.

7. Learned APP for the State accepts notice and seeks some time to file a status report. Let the same be filed before the next date of hearing, with an advance copy to learned counsel for the applicant.

8. Notice is also accepted by learned counsel for the complainant, who appears on advance notice. Let a copy of the application be supplied to the learned counsel for the complainant.

9. List on 21.07.2025.

10. On the applicant joining the investigation on 25.04.2025 at 04:00 PM, at the concerned police station, and thereafter, as and when directed by the Investigating Officer, no coercive steps shall be taken against the present applicant till the next date of hearing.

11. Order be uploaded on the website of this Court, forthwith.”

3. On resumed hearing today, upon a query from the Court regarding



whether the petitioner had joined the investigation and fully cooperated with the Investigating Officer (IO), the learned APP, on instructions from the IO—who is present in Court—submits that the petitioner had made himself available whenever required. He has been duly interrogated, and no further information is presently needed from him. However, the learned APP clarifies that while no additional information is required at this stage, this should not be construed to mean that the petitioner will not be required to report to the IO in the future, should the need arise.

4. Be that as it may, from the aforesaid, it transpires that custodial interrogation of the applicant is not warranted.

5. Accordingly, the interim concession granted to him is made absolute subject to the compliance of the provisions/conditions envisaged under Section 482 of BNSS.

6. The I.O. shall, accordingly, cause formal arrest of the applicant and forthwith release him on bail subject to his furnishing of personal bail bond to his satisfaction apart from the conditions under Section 482(2) *ibid*. However, it is made clear that as and when warranted, the I.O. shall give prior notice to the applicant and upon receipt thereof, the applicant shall make himself available for any further questioning.

7. The application is disposed of accordingly.

ARUN MONGA, J

AUGUST 5, 2025/rs