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

+ **BAIL APPLN. 2586/2025**

KAUSHAL KUMAR

.....Petitioner

Through: Mr. Raj Kumar, Miss Preeti Gothwal,
Mr. Gaurav Gothwal and Miss
Sangeeta Sabharwal, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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16.07.2025

CRL.M.A. 20180/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

BAIL APPLN. 2586/2025

3. By way of the instant application, the applicant is seeking grant of anticipatory bail in case arising out of FIR bearing No. 35/2025, registered at Police Station Janakpuri, New Delhi, for the commission of offences punishable under Sections 316(4) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Briefly stated, the facts of the present case are that the applicant was alleged to be involved in the conspiracy alongwith co-accused Sushil, who



allegedly had committed criminal breach of trust and had not deposited an amount of Rs.6,52,100/- which was handed over to him for depositing the same in Axis Bank. It is further alleged that co-accused Sushil had given majority of misappropriated amount to his brother-in-law/applicant herein which was used by the applicant to shift his pathology lab from Agra to Ujjayani, Uttar Pradesh and that the applicant had provided another SIM of third person to the co-accused Sushil in order to assist him in hiding and escaping from police.

6. The learned counsel appearing on behalf of the applicant argues that the applicant is not named in the FIR and there is no incriminating evidence against him. It is further alleged that the applicant had been illegally detained and beaten at the Police Station Janakpuri, when he had gone to enquire about the status of co-accused Sushil. Therefore, the applicant be granted anticipatory bail.

7. On instructions from the IO, the learned APP for the State submits that he has no objection, if anticipatory bail is granted to the present applicant/accused, subject to him joining and cooperating with the IO.

8. This Court has heard arguments addressed on behalf of both the sides and has perused the material available on record.

9. Keeping in view all the facts and circumstances mentioned hereinabove, this Court is inclined to grant anticipatory bail to the applicant, and in event of arrest, subject to the condition that the applicant will join investigation today itself at 4:00 PM, he shall be released on bail on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the SHO/I.O concerned on the following terms and conditions:



- i) The applicant shall remain available on mobile numbers; shared by him with the Police.
 - ii) The applicant shall not leave country without prior permission of the concerned Court.
 - iii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.
 - iv) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned I.O/SHO.
10. Accordingly, the present application for grant of anticipatory bail stands disposed of.
11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 16, 2025/ns