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

+ **CRL.M.C. 4880/2025**

A

.....Petitioner

Through: Mr. Pinku Singh, Adv. along with
petitioner in person

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with WSI Neetu, PS Dwarka
Mr. Chinmaya K. Bhatt, Ms. Seema
Chauhan, Ms. Sunita Singh, Ms.
Amrita Pandey, Advs. for R-
2/accused

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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23.07.2025

CRL.M.A. 21137/2025 EXEMPTION

Allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 4880/2025

1. The present petition under Section 483(3) of BNSS 2023 read with Section 528 of the BNSS 2023, has been filed on behalf of the petitioner for cancellation of bail granted to respondent no. 2 by the Sessions Court vide order dated 04.06.2025 in case FIR No. 194/2025, under Section 69 of the B.N.S., at P.S. Dwarka North, Delhi.

2. Learned counsel for the petitioner submits that petitioner and respondent no. 2 became friends in the year 2020 and in 2021 he established



physical relationship with her on false promise of marriage, concealing his existing marriage and children. In January 2025, he married the petitioner at a temple without first obtaining divorce from his wife. He disclosed about his first marriage to the petitioner after marrying her in January 2025. After 2-3 months, he began ignoring her leading to the registration of the FIR under Section 69 of BNS. He was granted anticipatory bail on 04.06.2025 on the ground of delay in registration of the FIR and the report of the Investigating Officer stating that petitioner was aware of his marital status. Ld. Counsel submits that petitioner was induced by accused on false promise of marriage and the accused violated her chastity and dignity. He submits that accused played with her emotions, feelings and life of the petitioner by taking her into the confidence. He established physical relationship with petitioner without disclosing that he was already married and having children. He submits that in view of serious allegations, the Sessions Court ought not to have granted bail to accused/respondent no. 2.

3. Per contra, Ld. Counsel for respondent no. 2 as also the Ld. APP has submitted that during investigation, Investigating Officer verified that petitioner was aware of the marital status of respondent no. 2 and respondent no. 2 has not violated any conditions of bail imposed by the Sessions Court and therefore, the present petition is liable to be dismissed.

4. Rejection of bail in a non-bailable case at the initial stage and the cancellation of bail already granted have to be considered and dealt with on different basis. The power of cancellation of bail should be exercised with care and circumspection as cancellation of bail jeopardises the personal liberty of a person. Cancellation of bail should not be done in a routine manner. Very cogent and overwhelming circumstances are necessary for an



order directing cancellation of bail already granted. Generally speaking, the grounds for cancellation of bail broadly are interference or attempt to interfere with due course of administration of justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner. However, these instances are merely illustrative and not exhaustive. Where it appears to the superior court that the Court granting bail acted on irrelevant material or there was non application of mind or where court does not take note of any statutory bar to the grant of bail, order for cancellation of bail can be made. The Court considering the application for cancellation of bail has to take note of all relevant aspects.

5. Coming to the facts of the case, the Court finds that the principle ground urged for seeking the cancellation of bail is that petitioner has made grave and serious allegations regarding respondent no. 2 having allegedly induced the petitioner into a physical relationship by concealing his subsisting marriage and children. However, it emerges from the trial court's order dated 04.06.2025 which is annexed as Annexure P-2, that there exists a voice recording between the petitioner and respondent no. 2 and the same has been duly examined by the Investigating Officer, indicating that the petitioner was aware of the marital status of respondent no. 2 at an early stage of their relationship meaning thereby she married with respondent no. 2 with complete knowledge of the previous marriage of respondent no. 2 and with her own volition. This fact was duly considered by the trial court while granting bail, and no material has been brought on record to show that such finding is erroneous.

6. In view of the above, and in the absence of any material suggesting misuse of liberty or violation of conditions by respondent no. 2, this Court



finds no ground to interfere with the order granting bail.

7. Accordingly, the present petition is dismissed, being devoid of merits.
8. Pending applications, if any, also stand disposed of.

RAVINDER DUDEJA, J

JULY 23, 2025/na