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

+ **BAIL APPLN. 3447/2025, CRL.M.As. 26940-26941/2025**

**SHUBHAM SHARMA**

.....Petitioner

Through: Mr. Parvinder Chauhan, Senior  
counsel along with Mr. Abhilash  
Vashist and Mr. Neeraj Vats,  
Advocates.

versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: Mr. Amit Ahlawat, APP for the State  
along with IO/ASI Deshpal Singh, PS  
Narela.  
Mr. Rohit Dubey and Ms. Jyoti Chib,  
Advocates for Respondent.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

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**10.09.2025**

**BAIL APPLN. 3447/2025**

1. The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023<sup>1</sup> seeks pre-arrest bail in proceedings emanating from FIR No. 354/2025, under Sections 115(2)/126(2)/351(2)/3(5), registered at P.S., Narela.
2. Briefly, the case of the prosecution is that on 23<sup>rd</sup> April, 2025, the Complainant (Sanjay Bhagat) and his son Mohit were allegedly attacked near Narela Bawana Road after a Hyundai Venue collided with their



motorcycle. Masked assailants emerged from the vehicle and assaulted them with sticks and rods, inflicting serious injuries. The Complainant, an anti-corruption activist, alleges that he had previously received threats due to his work. FIR No. 354/2025 was registered on 3<sup>rd</sup> May, 2025 and a notice dated 29<sup>th</sup> August, 2025 under Section 35(3) of BNSS was issued to the Applicant calling upon him to join investigation. Apprehending arrest, the Applicant has approached this Court seeking pre-arrest bail.

3. At the outset, it is observed that the Applicant has not approached the Sessions Court and has instead invoked this Court's jurisdiction directly.

4. While it is true that this Court exercises concurrent jurisdiction with the Sessions Court in matters of anticipatory bail, and there exists no statutory bar to filing an application directly before this Court, it is equally well settled that, as a matter of judicial discipline, applicants ought ordinarily to approach the Sessions Court in the first instance, save in exceptional situations. The justification offered by Mr. Parvinder Chauhan, senior counsel for the Applicant, namely, the strike of lawyers in the District Courts, no longer survives. The additional grounds urged to explain the direct approach likewise disclose neither extraordinary urgency nor any demonstrable inability to obtain a fair hearing before the Sessions Court. Entertaining the petition in such circumstances would amount to bypassing an efficacious remedy available before the Sessions Court, which this Court is not inclined to permit.

5. Accordingly, the Court is not inclined to entertain the present application. Dismissed, along with pending applications.

6. It is, however, clarified that if the Petitioner chooses to move an

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<sup>1</sup> "BNSS"



application for bail before the Sessions Court, the same shall be entertained and considered on its own merits. The dismissal of the present application shall not prejudice or influence the adjudication before the Sessions Court, as this Court has expressed no opinion on the merits of the case.

**CRL.M.(BAIL) 1886/2025**

7. In light of the order passed in BAIL APPLN. 3447/2025, no directions are required to be passed in the present application.
8. Disposed of.

**SANJEEV NARULA, J**

**SEPTEMBER 10, 2025/MK**