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

+ CRL.M.C. 7902/2024

STATE (GOVT OF NCT) OF DELHI

.....Petitioner

Through: Mr. Tarang Srivastava, APP for the
State with SI Sandeep Yadav, PS
Sadar Bazar.

versus

SHAKIR

.....Respondent

Through: Mr. Avdhesh Saraswat, Mr. Sarik
Saifi, Advs.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

16.09.2025

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1. This is a petition under Section 483 (3) read with Section 528 BNSS seeking cancellation of bail granted to the respondent vide order dated 15.05.2024 in case FIR no. 43/2018, under Sections 302/120B/34 IPC and Sections 25/27/54/59 Arms Act registered, at PS Sadar Bazar.

2. *Vide* order dated 15.05.2024, respondent was granted bail subject to following conditions:

a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.

b) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.



c) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the child victim or other witnesses.

3. Ld. APP appearing on behalf of the State/petitioner submits that respondent has violated condition (b) of the bail order dated 15.05.2024 by not providing his mobile number to the Investigating Officer. Furthermore, respondent has violated condition (c) as fresh FIR bearing no. 856/2024 was registered against respondent under Sections 109(1)/126(2)/3(5) BNS, PS Sadar Bazar wherein the respondent has been accused of having stabbed the victim with a knife. It is thus submitted that petitioner has violated the conditions of grant of bail and therefore, his bail is liable to be cancelled as per Section 439(2) Cr.P.C.

4. Ld. Counsel for the respondent submits that respondent was falsely implicated in case FIR no. 856/2024, registered at PS Sadar Bazar and has since been acquitted *vide* judgment dated 13.08.2025. Regarding the mobile number, Ld. Counsel submits that respondent was not having any mobile phone and therefore, for the said reason the number was not shared with the Investigating Officer. However, he states that respondent is intending to purchase the mobile phone and would share the mobile number to the Investigating Officer within a period of one week.

5. Learned APP fairly admits that respondent has been acquitted by the trial court in case FIR No. 856/2024.

6. Since admittedly, respondent has already been acquitted in case FIR no. 856/2024, there is no violation of condition (c) of the bail order dated 15.05.2024. It is also not the case of the State that despite having the mobile phone, respondent had not shared the mobile number with the Investigating



Officer and, therefore, that being so there is no violation of condition (b) of the order dated 15.05.2024.

7. In view thereof, Court finds that there is no violation of any bail condition. Thus there is no merit in the present petition.

8. Petition for cancellation of bail is accordingly dismissed.

RAVINDER DUDEJA, J

SEPTEMBER 16, 2025/gs/ak