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

+ **CRL.REV.P. 437/2025, CRL.M.A. 32736/2025**

ANUJ THAKRANPetitioner

Through: Appearance not given.

versus

STATE NCT OF DELHI AND ANRRespondent

Through: Mr. Shoaib Haider, APP for the State.
Mr. Misbah Bin Tariq, Advocate for
Complainant/ R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **06.11.2025**

CRL.M.A. 32737/2025 (Seeking Exemption)

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

CRL.REV.P. 437/2025

3. A Petition under Section 397 and 401 of Cr.P.C /Section 438 and 442 of the BNSS read with Section 482/Cr.P.C/528 BNSS has been filed on behalf of the Petitioners challenging the Order dated 21.08.2025 passed by learned ASJ, New Delhi, whereby the Bail granted to the Petitioner Anuj Thakran has been cancelled in FIR No.109/2024 under Section 406/420 IPC registered at Police Station Tilak Marg.
4. Learned counsel on behalf of the Complainant submits that the Revision Petition is not maintainable and is liable to be rejected on this ground itself. It is further submitted that the conduct of the Petitioner once he got Bail was that neither he has paid the balance amount and has been avoiding joining the investigations in blatant breach of the conditions imposed at the time of the Bail. NBWs have been issued and the Petitioner



has been avoiding the same. Raid was conducted at this residence, but the premises was found locked. The I.O further submits that looking at the conduct of the Petitioner who has blatantly declined to join the investigations, even an LOC has been opened against him. However, the learned APP for the State submits that no Application for Cancellation of Bail has been filed on behalf of the State till date. The Complainant had filed an Application dated 16.05.2025 challenging the Order of Bail of learned M.M dated 07.05.2025 on merits.

5. The perusal of the record shows that by way of impugned Order dated 21.08.2025 the learned ASJ instead of considering the grounds on which the Cancellation/Recall of the Bail Order was sought, has gone on the grounds of non-joining of the Petitioner after grant of Bail and has proceeded to direct cancellation. Though, this Order states to be deciding the Complainant's Application for Cancellation, but has granted cancellation on the grounds which were not even agitated in the Application.

6. In the circumstances, the impugned Order is hereby set aside and remanded back to learned ASJ to be decided in accordance with the Application filed by the Complainant. Considering the rival contentions, the Cancellation Application of the Complainant be preferably decided within fifteen days.

7. Needless to say that the State is at liberty to move an appropriate Application considering the conduct of the Petitioner.

8. The Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

NOVEMBER 6, 2025/va