



2026:DHC:583



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

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Date of Decision: 23.01.2026

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BAIL APPLN. 300/2026 & CRL.M.A. 2421/2026**HARSH**

.....Petitioner

Through: Ms. Shweta S. Kumar, Advocate with
petitioner in person (*through
videoconferencing*).

versus

THE STATE GOVERNMENT OF N.C.T. OF DELHIRespondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Vishal, PS Bhlaswa Dairy.

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. Learned APP has produced before me a copy of the Anticipatory Bail Application filed by the accused/applicant before the Court of Sessions. That copy bears original stamp, reflecting that the said application is being heard today itself in the Court of Sessions. Further, it is submitted by learned APP on instructions, that over the telephone, Investigating Officer has been informed that the said Anticipatory Bail Application is being heard today itself before the Court of Sessions.

*BAIL APPLICATION 300/2026**Page 1 of 4 pages*

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2. The covering sheet of the Anticipatory Bail Application filed before the Court of Sessions shows name of the counsel as Mr. Sunil Singh Tomer, Advocate from Chamber No. 1427, Lawyers' Chamber Block, Rohini Court Complex, New Delhi. The present Anticipatory Bail Application has been filed by Mr. Rakesh Kaushik & Associates, Advocates from Chamber No. 306, Lawyers' Chamber Block, Rohini Court Complex.

3. Ms. Shweta S. Kumar, Advocate, counsel for accused/applicant admits that today itself, another similar application of the accused/applicant is being heard by the Court of Sessions. But she submits that she was not aware about the other Anticipatory Bail Application filed by the accused/applicant since she was instructed by mother of the accused/applicant to file the present Anticipatory Bail Application. But this submission of counsel does not appear to be truthful as not just the *vakalatnama*, but even the present Anticipatory Bail Application is signed by the accused/applicant himself. Even the affidavit supporting the present application was sworn by the accused/applicant only.

4. Learned counsel for accused/applicant submits that the accused/applicant is present on videoconferencing. On being called upon, the accused/applicant has joined through videoconferencing but is completely evasive as to why two anticipatory bail applications were filed by him before two different courts. The accused/applicant, who is a grown-up man states that whatever was done, the same was done by his mother and he is not aware about anything. Even the application filed before the Court

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of Sessions bears signatures of the accused/applicant and is supported with his affidavit.

5. This is clear abuse of process in the name of liberty. I do not find any acceptable reason that the accused/applicant or his counsel was unaware about filing of these two applications.

6. This is nothing but an effort to hoodwink the court. The Anticipatory Bail Application and the accompanying application are dismissed.

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**GIRISH KATHPALIA
(JUDGE)**

JANUARY 23, 2026/dr

7. In this post lunch session, matter is taken up on mentioning.

8. Learned APP for State points out that since the Oral Judgment pronounced in pre-lunch session was signed digitally so that the same could be brought to the notice of the learned Court of Sessions, due to inadvertence particulars of the FIR number, in which the said order was passed have not been mentioned, though the same were mentioned in the ordersheet written in the pre-lunch session.

9. Accordingly, it is clarified that the accused/applicant in the present case sought anticipatory bail in case FIR No. 838/2025 of PS Bhalswa Dairy

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for offence under Section 110/351(3)/3(5) BNS.

10. Copy of this order shall form part of the oral judgment pronounced in pre-lunch session today.

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**GIRISH KATHPALIA
(JUDGE)**

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