



2026:DHC:4120



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

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Date of Decision: 11.05.2026+ **BAIL APPLN. 441/2026****AMIT ALIAS MALTA**

.....Petitioner

Through: Mr. R.S. Chaggaan, Mr. Sajan Arora
and Mr. Sandeep Singh, Advocates

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Narender**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 562/2025 of PS Narela for offence under Section 109(2)/3(5) BNS.

2. In furtherance of last two orders, I have heard learned counsel for accused/applicant and learned APP for State assisted by Investigating Officer/SI Narender.

3. Broadly speaking, the prosecution case is that the present accused/applicant along with three Children in Conflict with Law, assaulted

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the victim, inflicting multiple stab wounds on 09.08.2025 and thereafter, the accused/applicant again assaulted the same victim with a *danda* on 26.08.2025. As regards the alleged stabbing incident, the present FIR was registered, while as regards the subsequent incident dated 26.08.2025, FIR No. 593/2025 was registered.

4. Earlier on 02.02.2026, the Investigating Officer submitted that the entire incident dated 09.08.2025 was recorded in CCTV camera but the footage did not depict the accused/applicant. As such, interim protection from arrest was granted to the accused/applicant.

5. But on the next date 17.04.2026, the Investigating Officer took a U-turn and stated that his submission on 09.08.2025 was not correct and the CCTV footage actually depicts the accused/applicant also.

6. Today, that CCTV footage was played in the courtroom.

7. Learned counsel for accused/applicant submits that even the CCTV footage reflects only presence of the accused/applicant in the area at the time of the alleged stabbing, but the same does not in any manner depict his involvement in the alleged offence.

8. Learned APP for State assisted by Investigating Officer submits that the injured categorically named the accused/applicant as an assailant and besides that, since the accused/applicant assaulted the injured again on 25.08.2025 with a *danda*, he cannot be granted anticipatory bail.

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9. Admittedly, the CCTV footage depicts only the presence of the accused/applicant along with few other boys in the lane and the stabbing was not done by the accused/applicant according to the CCTV footage, though this aspect shall be examined by the trial court independent of these observations while analyzing the testimony of the injured. The fact remains that as on date, the CCTV footage, which was so heavily relied upon by prosecution, does not seem to support their case.

10. Further, of course it would be a serious aspect, where a person accused of an offence in FIR registered on 10.08.2025 assaults the victim with a *danda* again on 25.08.2025, which is the allegation of prosecution. But on this aspect, it would be significant to note that the MLC of the injured prepared on 25.08.2025 reflects only one lacerated wound each on forehead and back of the head, besides an abrasion on the right knee. The said MLC prepared on 25.08.2025 is completely silent about any stab injury found on the victim. More importantly, the accused/applicant had even placed on record two railway tickets reflecting his journey to Gaya Junction from Delhi on 18.08.2025 and return on 24.12.2025 and according to the accused/applicant, he was not even present in Delhi when he is alleged to have assaulted the victim with *danda*. Despite the fact that both travel tickets were filed by the accused/applicant along with this anticipatory bail application, the Investigating Officer did not investigate further on those lines at all, as per prosecution, till date.



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11. Considering the overall circumstances as described above, I find no reason to deprive the accused/applicant liberty.

12. The application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be released on bail, subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the IO/SHO concerned. The accused/applicant shall join investigation as and when directed by the Investigating Officer in writing.

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**GIRISH KATHPALIA
(JUDGE)**

MAY 11, 2026/as