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

+ **BAIL APPLN. 573/2026**

BACHCHA KUMAR

.....Petitioner

Through: Mr. Gurmehar Vaan Singh, Mr. Shubham Kashyap, Ms. Antima Bazaz and Ms. Seema Kashyap, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for the State. SI Mohit Yadav, P.S.: Ashok Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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09.02.2026

CRL.M.A. 4321/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 573/2026

By way of the present petition filed under section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks anticipatory bail in case FIR No.0434/2025 dated 13.08.2025 registered under section 316(2) of the Bharatiya Nyaya Sanhita 2023 ('BNS') at P.S.: Ashok Vihar, North-East, Delhi.

2. Mr. Gurmehar Vaan Singh, learned counsel appearing for the petitioner submits, that as would be seen from a perusal of the FIR,



dispute between the petitioner and the complainant is quite clearly only of a civil nature arising from their commercial dealings in the course of business, to which the colour of criminality is being given by the complainant. Learned counsel submits, that even a perusal of the subject FIR would reveal that even the basic ingredients of the offence of criminal breach of trust is not made-out.

3. Learned counsel submits, that despite the aforesaid, the petitioner's anticipatory bail plea has been dismissed by the learned sessions court *vidé* order dated 12.11.2025.
4. Issue notice.
5. Mr. Shoaib Haider, learned APP appears for the State on advance copy; accepts notice; and on instructions of the Investigating Officer ('I.O.'), who is present in court, submits that as represented before the learned sessions court, petitioner had not joined investigation despite notice having been issued to him under section 35(2) of the BNSS.
6. The I.O. states that he does not need custodial interrogation of the petitioner, but needs the petitioner to join investigation.
7. In view of the submissions made and considering the allegations in the subject FIR, and based on the fair stand taken by the I.O., the present petition is allowed.
8. It is directed that in the event of his arrest, the petitioner shall be admitted to anticipatory bail by the I.O./Arresting Officer ('A.O.') subject to the following conditions:
 - 8.1. The petitioner shall furnish a personal bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand Only) with 01 surety in the



like amount from family members to the satisfaction of the I.O./A.O.;

- 8.2. The petitioner shall furnish to the I.O. a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 8.3. If the petitioner has a passport, he shall surrender the same to the I.O. and shall not travel out of the country without *prior* permission of this court; and
- 8.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.
9. The petition stands disposed-of in the above terms.
10. Pending applications, if any, also stand disposed-of.
11. Needless to add that the petitioner shall appear before the I.O. for investigation, as and when he is called by written notice served upon him at his residential address in Delhi.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 9, 2026

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