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

+ **BAIL APPLN. 632/2026 & CRL.M.A. 4853/2026**

KUNAL

.....Petitioner

Through: Mr. Omkar Sharma, Advocate.

versus

STATE NCT OF NCT OF DELHI

.....Respondent

Through: Mr. Ashneet Singh, APP.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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12.02.2026

1. The applicant seeks anticipatory bail in FIR No. 638/2025 dated 23.08.2025 registered at PS Mangol Puri, under Sections 109(1)/118(1)/3(5) BNS (Corresponding Section 307/324/34 IPC).
2. It is a case of attempted murder and as per the bare contents of FIR, the complainant i.e. Mr. Sagar has named and indicted Arjun, Akash and Andal (brother of applicant-Kunal) as the accused persons.
3. According to him, the stab injuries were given by Akash and Andal.
4. The FIR was lodged on 23.08.2025 on the basis of the statement of injured himself.
5. Apparently, in his such statement, he was very specific and categorical and claimed that one of the assailants was Andal, who was younger brother of applicant-Kunal. Kunal was neither named in the FIR nor there was any allegation against him.
6. However, when an application seeking anticipatory bail was filed by applicant-Kunal, the same was dismissed by learned Trial Court, while observing that the FIR was by name against the applicant also and, therefore, his custodial interrogation was mandatory.
7. The abovesaid observation is clearly fallacious in nature as Kunal is not

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named in FIR and it is his brother Andal who has been named in the FIR.

8. Learned APP appears on advance notice and when asked to clarify the abovesaid anomaly, he submitted that a supplementary statement of complainant was recorded on 24.08.2025 wherein he claimed that, since he was perplexed and was in pain, he gave a wrong name and the assailant was Kunal not his brother Andal. However, that being so, such a vital fact should have been brought to the knowledge of learned Court of Sessions. The status report is also, conspicuously, silent on abovesaid aspect, making such supplementary statement, questionable.

9. The application is disposed of with direction to applicant to assist the investigation, as and when so directed, and in event of his arrest, the arresting officer would release him on bail on his furnishing personal bond and surety bond in a sum of Rs. 25,000/- each.

10. Needless to clarify that, in case he does not join the investigation, despite being specifically informed in advance, the relief of the abovesaid order would not be available to him.

11. To start with, he would join the investigation tomorrow at 2:00 p.m. and would report to the concerned SHO/IO. Learned counsel for the applicant undertakes that the applicant shall appear on the abovesaid date, time and place.

12. The application stands disposed of in aforesaid terms.

MANOJ JAIN, J

FEBRUARY 12, 2026/sw/pb