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

+ BAIL APPLN. 864/2026, CRL.M.A. 6612/2026; CRL.M.A. 6613/2026; CRL.M.A. 6614/2026

PORTANRI PAKYNTAIN

.....Applicant

Through: Mr. Gautam Panjwani, Mr. Mayank Rana and Ms. Ishpreet Kaur, Advs.

Versus

THE STATE OF NCT DELHI

.....Respondent

Through: Mr. Satish Kumar, APP with Ms. Upasna Bakshi and Ms. Divya Bakshi, Advs.

SI- Manish Suhag, PS: Special Cell

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

27.02.2026

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1. By virtue of the present bail application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of regular bail in FIR No.156/2025 dated 09.12.2025 under *Sections 308/318(4)/319/340* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**) at PS.: Special Cell, Delhi.

2. At the outset, this Court finds that the present application seeking regular bail has been filed by the applicant merely *five days* after facing dismissal by the learned Trial Court *vide* order dated 20.02.2026 on the same set of facts and circumstances and urging identical grounds.

3. As evident therefrom, the said grounds have already been duly considered by the learned Trial Court therein on merits by way of a well-reasoned and speaking order. In fact, it is not the case of learned counsel



for the applicant that the said grounds have not been adverted to and/ or considered by the learned Trial Court.

4. No doubt, the applicant herein is facing incarceration and has an indefeasible right of filing repeated applications seeking regular bail, however, in the considered view of this Court, when a similar previous application seeking regular bail has been decided by way of a well-reasoned and speaking order on merits by a Court of law, be it the learned Trial Court, the applicant has to show something more than a mechanic repetition/ reproduction with some change in circumstances, which have a material bearing on the case of the applicant since the dismissal of the last application seeking regular bail, to approach another Court of law afresh, be it the High Court, seeking the same relief. At the end of the day, the present is a *subsequent* application, and is neither an appeal nor a review of the previous/ recent order of rejection.

5. The aforesaid carries much weight in light of the findings rendered by the Hon'ble Supreme Court in ***Kalyan Chandra Sarkar vs. Rajesh Ranjan @ Pappu Yadav & Anr.:(2004) 7 SCC 428***, wherein it has been held as under:-

“12. In regard to cases where earlier bail applications have been rejected there is a further onus on the court to consider the subsequent application for grant of bail by noticing the grounds on which earlier bail applications have been rejected and after such consideration if the court is of the opinion that bail has to be granted then the said court will have to give specific reasons why in spite of such earlier rejection the subsequent application for bail should be granted (See Ram Govind Upadhyay)

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20.though an accused has a right to make successive applications for grant of bail the court entertaining such subsequent bail applications has a duty to consider the reasons and grounds on which the earlier bail applications were rejected. In such cases, the court also has a duty to record what are the fresh grounds which persuade it to take a view different from the one taken in the earlier applications.”

6. It entails therefrom that successive immediate applications by an applicant seeking regular bail must make out a case which is different from what was/ were when the previous similar application seeking regular bail was dismissed by a Court of law, be it the learned Trial Court. For this, the time gap for filing a new/ fresh application involved and the change in circumstances, amongst others, both are also germane factors while dealing with a subsequent application for grant of regular bail of the very same applicant.

7. In view of the afore-going, the applicant cannot be allowed to urge the very same grounds on the same set of circumstances without any semblance of a change therein before this Court in a short span of time under the garb of this new/ fresh application seeking grant of regular bail, and that too in a quick succession.

8. In such a scenario, in the present case also judicial propriety demands to give weightage to the previous order of 20.02.2026 passed by the learned Trial Court.

9. Even otherwise, considering the nature and gravity of offence, as also the investigation is at the nascent stage, wherein the present case involves an online fraud of Rs.55,00,000/-, whereas the said amount was credited belonged indisputably to the bank account of the applicant herein,



the same tilts against the case setup by the applicant herein.

10. As such, for the afore-going reasons, the present bail application, along with the pending applications, is dismissed.

SAURABH BANERJEE, J

FEBRUARY 27, 2026/Ab/AKS