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

+ **BAIL APPLN. 1322/2026 & CRL.M.A. 10399/2026**

**HEMANT**

..... Applicant

Through: **Mr. Shivansh Agarwal, Adv.**

versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: **Mr. Raghuinder Verma, APP for the State**

**ASI Nempal Singh, PS.: Harsh Vihar**

**Mr. Anuj Kapoor, Adv. (DHCLSC) with Mr. Nandeesh Nanda and Mr. Shivom Sethi, Advs. for complainant**

**CORAM:**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

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**11.05.2026**

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of regular bail in proceedings arising out of FIR No.279/2025 dated 06.05.2025 registered at PS: Harsh Vihar under *Sections 109(1)/115(2)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).

2. *Succinctly put*, as per prosecution, the FIR was registered upon receipt of information during the intervening night of 05-06.05.2025 that the applicant, who had previously been troubling the complainant's sister *qua* which they had also complained before the Police, alongwith his brothers and their mother, had beaten the father of the complainant using



bricks and a steel wench and caused grievous injuries to him, as also assaulted the complainant. The applicant was accordingly arrested on 06.05.2025, and the charge-sheet has since been filed.

3. When the present application was first listed before this Court on 06.04.2026, this Court passed the following order:

*“2. A perusal of the record reveals that the very same applicant had sought grant of regular bail from the learned Trial Court, however, after due consideration of the assertions made, grounds raised and arguments addressed therein, the same was denied by the learned Trial Court by a speaking and well-reasoned order dated 28.02.2026.*

*3. Today, upon query learned counsel for the applicant candidly admits that there are/ is no change in circumstances since the said order passed by the learned Trial Court.”*

4. Thereafter on 20.04.2026, one Mr. Anurag Singh had canvassed arguments on behalf of the applicant, however, today, one Mr. Shivansh Agarwal, a new counsel has appeared and addressed arguments on behalf of the applicant.

5. Be that as it may, this Court has once again heard learned counsel for the applicant *de novo* on merits. Learned counsel today solely submits that there is an inordinate delay in the proceedings before the learned Trial Court, particularly, since the FSL Report is still awaited, for which he has handed over a copy of the order dated 08.04.2026 passed by the learned Trial Court. As such, he submits that since the applicant has been facing incarceration for the past one year, the present application ought to be allowed.

6. Issue notice. Learned APP for State accepts notice. Let the Status Report handed over in Court be taken on record.



7. Based thereon, learned APP opposes the present application and submits that the applicant has been specifically named in the FIR as the primary perpetrator who has caused grievous injuries to the father of the complainant as per the MLC, as also caused injuries to the complainant, alongwith a history of harassing the sister of the complainant. He, therefore, submits that no case for granting bail to the applicant is made out, particularly since there is no change in circumstances since the order dated 28.02.2026 passed by the learned Trial Court denying him bail, as also the applicant has suppressed that his previous bail application before this Court was dismissed as withdrawn *vide* order dated 18.02.2026 under the same set of facts.

8. Learned counsel for the complainant has also appeared and submitted in consonance with learned APP for State.

9. At the outset, considering that the sole argument addressed by learned counsel for the applicant is regarding the delay in the proceedings before the learned Trial Court especially the filing of the FSL Report, this Court finds that in the very same order dated 08.04.2026 handed over by learned counsel for the applicant, the learned Trial Court has recorded as under:

*“5. Put up for arguments on charge on 28.05.2026. ... ..*

*6. Also issue notice to the IO/ SHO concerned to get the FSL result in the present case expedited and if the same is ready, to file it before the Court on or before he next date of hearing.”*

***(Emphasis supplied)***

10. In view thereof, as also considering the grievousness of the allegations against the applicant, the role attributed to him, as also the



previous conduct of the applicant and the proximity with the complainant and his family, this Court does not see any merit in the case put forth by the applicant solely on the basis of delay, particularly in view of the aforesaid order passed by the learned Trial Court.

11. Accordingly, the present application is dismissed.

12. Needless to say, expression of view(s) on merits hereinabove, if any, are solely for the purposes of adjudication of the present application and shall have no bearing on the overall merit(s)/ trial involved.

**SAURABH BANERJEE, J**

**MAY 11, 2026/bh**