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

+ **BAIL APPLN. 1809/2026**

MUKESH KUMAR GUPTA

.....Petitioner

Through: Mr. Akash Mehta, Mr. Jai
Khapran, Mr. Keshvam Punj, Ms.
Pooja, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Tarang Srivastava, APP
PSI Hemant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **08.05.2026**

CRL.M.A. 14622/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 1809/2026

1. The petitioner is an accused in proceedings arising out of FIR No. 92/2024 dated 29.02.2024, registered at Police Station Badarpur, District South East, Delhi, under Section 420 of the Indian Penal Code, 1860 ["IPC"]. He assails an order dated 17.04.2026, by which anticipatory bail granted to him, was cancelled.
2. Issue notice. Mr. Tarang Srivastava, learned Additional Public Prosecutor, accepts notice on behalf of the State.
3. The petitioner was granted anticipatory bail by an order of the learned Sessions Court dated 27.11.2024, *inter alia*, on the condition that



he would furnish his address to the Investigating Officer [“IO”] and inform the IO of any change in address. The IO filed an application before the learned Sessions Court stating that the petitioner had breached this condition, inasmuch as he had changed his address without informing the IO. It was contended that, as a result, notices issued to the accused under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, could not be complied with.

4. By order dated 17.04.2026, the learned Sessions Court allowed the application and cancelled the order granting anticipatory bail.

5. Mr. Akash Mehta, learned counsel for the petitioner, submits that the petitioner had not in fact changed his address permanently, but had moved to a different location on account of differences between his wife and his mother. It is also contended that the IO had been orally informed.

6. Significantly, it appears from the record that, during the pendency of the application for cancellation of bail, the learned Sessions Court had passed an order dated 18.03.2026, directing the petitioner to furnish his current and updated address to the IO alongwith a working mobile number, and to visit the police station every day to mark his attendance. These directions continued until the passing of the impugned order dated 17.04.2026. Mr. Mehta contends that the petitioner complied with the aforesaid order in its entirety and reported to the IO every day before Noon. Mr. Srivastava also confirms this position upon instructions from the IO.

7. During the pendency of the application, the petitioner was thus available to the IO, but was not required to join investigation.

8. Mr. Srivastava states that the petitioner is required to join the



investigation, at this stage, so that the investigation can be completed and the final report can be filed.

9. Having regard to all the facts and circumstances of the case, including the fact that the petitioner was granted anticipatory bail by order dated 27.11.2024 and that he complied with the condition of reporting to the IO in terms of the orders dated 18.03.2026 and 28.03.2026, I am of the view that the protection granted to the petitioner may continue, subject to strict conditions.

10. In the event of arrest in connection with FIR No. 92/2024 dated 29.02.2024, registered at Police Station Badarpur, District South East, Delhi, the petitioner will be released on bail on furnishing a personal bond in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of the IO/Station House Officer, subject to further conditions:

- a. The petitioner will not leave the National Capital Region without permission of the learned Trial Court.
- b. The petitioner will join the investigation before the IO at 11 A.M. on 09.05.2026 and thereafter as and when required by the IO.
- c. The petitioner shall file an affidavit before this Court and furnish a copy thereof to the IO, stating his current address and mobile number. He shall not change his address without the prior permission of the learned Trial Court. The mobile number shall be kept operational at all times. The affidavit shall be filed by 09.05.2026.
- d. The petitioner will not directly or indirectly pressurise the complainant.
- e. The petitioner shall not commit any offence during the pendency of



these proceedings.

11. The bail application is disposed of in terms of the above.

12. It is clarified that the observations made herein are solely for the purpose of adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

PRATEEK JALAN, J

MAY 8, 2026
SS/JM/