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

+ **BAIL APPLN. 1836/2026 & CRL.M.A. 14839/2026**

FAIZ HUSSAIN @ KHALNAYAK

.....Petitioner

Through: Mr. M.L. Yadav, Mr. Harish Chand, Mr. Anant Chittoria, Mr. Deepak Kumar, Mr. Prashant, Mr. Piyush, Mr. Harsh Kumar, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Tarang Srivastava, APP with Insp Mukesh Yadav.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **11.05.2026**

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 381/2024 dated 21.09.2024, registered at Police Station Tigri, District South, Delhi, under Sections 103(1)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Mr. Tarang Srivastava, learned Additional Public Prosecutor for the State, states at the outset that certain material witnesses are yet to be examined. He also submits that the application of a similarly placed co-accused [BAIL APPLN. 618/2026: *Rahul Malik v. The State GNCT of Delhi*] was disposed of on 25.04.2026 in the following terms:



“4. After some arguments, Mr. Ibrahim, learned counsel for the applicant, seeks permission to withdraw this application with liberty to move the Sessions Court at the appropriate stage. However, he also seeks a direction upon the Court to direct expeditious recording of testimonies of material witnesses before the Sessions Court.

5. The application is dismissed as withdrawn in terms of the above submission.

6. The Sessions Court is requested to consider the request of the petitioner according to its board and the age of matters listed before it. Mr. Srivastava assures the Court that no unnecessary adjournments will be sought by the prosecution before the learned Sessions Court.

7. It is clarified that this Court has not expressed any opinion on the merits of the case or on any application that may be moved before the learned Sessions Court, which shall be considered independently, in accordance with law.”

3. Mr. M.L. Yadav, learned counsel for the applicant, seeks a similar order in the present case.

4. Accordingly, the bail application, alongwith pending application, is disposed of, with liberty to the applicant to approach the Sessions Court at the appropriate stage.

5. The Sessions Court is requested to consider the request of the applicant for expeditious recording of testimonies of material witnesses, in accordance with its Board and the age of matters listed before it. Mr. Srivastava assures the Court that no unnecessary adjournments will be sought by the prosecution before the Sessions Court.

6. It is made clear that this Court has not made any comment on the merits of the case or on any proposed application before the Sessions Court, which may be considered by the Sessions Court in accordance with law.

PRATEEK JALAN, J

MAY 11, 2026/SS/KA/