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

+ BAIL APPLN. 2233/2026, CRL.M.A. 18030/2026, CRL.M.A. 18031/2026, CRL.M.A. 18032/2026 & CRL.M.(BAIL) 1164/2026

ABHISHEK KUMAR @ ABHISHEK GUPTAPetitioner
Through: Mr. Raj Kamal, Mr. Aseem Atwal,
Mr. Manish Kumar Sharma, Mr.
Harneet Singh and Mr. Somil Jain,
Advocates.

versus

THE STATE (GOVT. OF NCT, DELHI) & ORS.Respondents
Through: Mr. Ritesh Kumar Bahri, APP for
State and Mr. Vinesh Kumar,
Advocate.
Mr. Gautam Talukdar, Advocate for
R2, 3 & 4.
SI Kunal Kishor, PS Karol Bagh.

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER
15.06.2026

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1. The present Application is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of Regular Bail in FIR No. 1144/2025 under Sections 316(2) / 318(4) / 238(c) / 3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Karol Bagh.

2. The brief facts leading to the filing of the present Application are:

2.1 The Applicant and the Complainant had been engaged in a long-standing commercial relationship in respect of their jewellery business. The Applicant's family carries on a retail jewellery



business in Muzaffarpur, Bihar, and regularly procures jewellery from the Complainant's establishment located at Karol Bagh, New Delhi.

- 2.2 Based on the complaint filed by the Complainant, FIR bearing No. 1144/2025 was registered against the Applicant, wherein it is alleged that the Applicant placed three purchase orders for jewellery on 02.02.2025. It is further alleged that jewellery was delivered to the Applicant through one of his employees, however, the payment of approximately INR 2.17 crores has not been remitted to the Applicant.
- 2.3 It is further alleged that only part payment of the outstanding dues was made by the Applicant by way of cheques, which were subsequently dishonoured due to insufficient funds. Pursuant thereto, the Complainant and his relatives instituted multiple complaints under Section 138 of the Negotiable Instruments Act, 1881 seeking recovery of the outstanding dues.
- 2.4 The Applicant was arrested on 14.11.2025 and was sent to judicial custody *vide* order dated 15.11.2025 passed by the learned Trial Court.
- 2.5 The Applicant filed an application before the learned JFMC, Tis Hazari Courts seeking bail in the present case, however, the said application was dismissed *vide* order dated 24.11.2025 on the ground that there was a flight risk.
- 2.6 Thereafter, the Applicant preferred an application seeking bail before the learned ASJ, Tis Hazari Courts, which was dismissed *vide* order dated 29.11.2025 on the ground that the investigation



was at an initial stage and material witnesses were yet to be examined, who could be threatened by the Applicant and the evidence could be tampered with by the Applicant.

2.7 Subsequently, the Applicant approached this Court for seeking bail by way of an application being BAIL APPLN. 4811/2025, which was dismissed as withdrawn *vide* order dated 02.02.2026.

2.8 Thereafter, the Chargesheet dated 10.01.2026 was filed before the learned JFMC, Tis Hazari Courts, subsequent to which the Applicant filed a fresh application for regular bail before the Court. *Vide* order dated 04.04.2026, the learned JFMC, Tis Hazari Courts dismissed the said application with the observation that the filing of the Chargesheet and transfer of the amount in dispute, without any settlement between the Parties, does not *ipso facto* entitle the Applicant to bail.

2.9 Subsequently, the Applicant filed an application seeking bail before the learned ASJ, Tis Hazari Courts, wherein it was argued that the dispute between the Parties has been amicably settled. However, the learned ASJ, Tis Hazari Courts dismissed the said application *vide* order dated 26.05.2026, *inter alia*, on the grounds of the gravity of the offence and that the recovery of case property was yet to be affected, the trial was at an initial stage and the material witnesses were yet to be examined.

2.10 Aggrieved thereby, the present Application has been filed by the Applicant seeking regular bail.

3. The learned Counsel for the Applicant submitted that the Applicant has been in continuous judicial custody since 14.11.2025 and has suffered



over 206 days of incarceration in the present case, which purely arises out of civil-commercial recovery dispute. It is further submitted that the Chargesheet has already been filed by the investigating officer on 10.01.2026 before the learned Trial Court.

4. The learned Counsel for the Applicant submitted that an amicable settled was arrived at between the Parties on 22.05.2026 through Mediation proceedings bearing Mediation No. 5375/2026 before the Delhi Mediation Centre, Tis Hazari Courts.

5. The learned Counsel for the Applicant further submitted that the Applicant is suffering from a serious life-threatening medical condition and, therefore, he requires proper medical care and supervision.

6. Heard the learned Counsel for the Parties and perused the material placed on record.

7. Having considered the fact that - *firstly*, the Applicant has been languishing in jail for over a period of six months; *secondly*, the Chargesheet has already been filed in the present case; and *thirdly*, the Parties have arrived at an amicable settlement, no purpose would be served by keeping the Applicant in further incarceration. Therefore, the Applicant has made out a case for being enlarged on bail.

8. In view thereof, the present Application is allowed. The Applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 25,000/- with two sureties of like amount, to the satisfaction of the learned Trial Court, further subject to following conditions:

- i. The Applicant shall not leave India without prior permission of the learned Trial Court.



- ii. The Applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The Applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The Applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
 - v. The Applicant shall not, directly or indirectly, tamper with evidence or try to influence the witnesses in any manner.
9. The present Bail Application stands disposed of in terms of the aforesaid directions. Pending Application(s), if any, also stand disposed of.
10. Needless to state, nothing mentioned hereinabove is an opinion on the merits of the case and any observations made herein are only for the purpose of deciding the present Bail Application.
11. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance through special messenger.
12. Order be uploaded on the website of this Court *forthwith*.
13. Order be given *dasti* under the signature of Court Master.

TEJAS KARIA, J
(VACATION JUDGE)

JUNE 15, 2026/ sms