



\$~9

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

+ **BAIL APPLN. 2339/2026**

KOMAL

.....Petitioner

Through: Mr. Neeraj Kumar, Mr. Harsh
Vardhan Sharma, Mr. Gopal, Mr.
Ashutosh Pandey, Advs.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP
Ms. Ribya Ridhi And Mr. Vishal
Chauhan, Advs. for Victim
Insp Pramod Kumar, PS Madhu Vihar

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

%

02.07.2026

1. This hearing has been done through hybrid mode.

CRL.M.A. 18268/2026

2. Allowed, subject to all just exceptions. The application is disposed of.

BAIL APPLN. 2339/2026

3. The present Anticipatory Bail Application has been filed by the Applicant under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS') seeking grant of anticipatory bail in **FIR No. 211/2026** registered at Police Station Madhu Vihar, East District, Delhi under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as 'BNS') (corresponding to Sections 302/34 of the Indian Penal Code, 1860 (hereinafter referred to as 'IPC'))

4. Issue notice.



5. Learned APP accepts notice for the State.
6. Learned counsel for the Applicant submits that initially, since it was a case of attempt to commit culpable homicide, FIR under Section 110 of the BNS (corresponding to Section 307 IPC) was registered. The Applicant was not even present at the spot and was subsequently called by her husband and brother-in-law. Upon reaching the hospital, as she is associated with the medical field, she arranged for the admission of the injured and extended all possible assistance. He further submits that, subsequently, the injured succumbed to his injuries during treatment, whereafter the offence under Section 110 of the BNS (corresponding to Section 307 IPC) was converted into Section 103(1) of the BNS (corresponding to Section 302 IPC).
7. He further submits that the Applicant has no role in the entire incident. It is submitted that she is the mother of two minor children aged about one and a half years and four years respectively, and there is no one in the family to look after them, as her husband is presently in judicial custody.
8. Learned APP for the State submits that the deceased, Ankit Solanki, was residing on the third floor of the house whereas the Applicant resided on the second floor and co-accused Gaurav on the ground floor.
9. He further submits that the deceased had come to know about the illicit relationship between the Applicant and her brother-in-law and had threatened to expose the same. Owing thereto, the Applicant, along with her husband and brother-in-law, developed animosity against the deceased and entered into a criminal conspiracy with the co-accused. On the date of the incident, *i.e.*, 30.05.2026, co-accused Gaurav reached Pankaj Plaza Market and called accused Ritik there. They purchased whisky from a nearby shop and consumed it together. Thereafter, they called the deceased Ankit to



Pankaj Plaza Market and all three consumed liquor together. Subsequently, accused Vinay also reached there, whereafter an altercation took place between Ritik, Gaurav and Vinay on one side and the deceased Ankit on the other. During the altercation, co-accused Gaurav struck a high-impact blow on the head of the deceased with a heavy wooden stick (*danda*).

10. He further submits that thereafter, the accused persons informed the Applicant and shifted the injured to Dr. Hedgewar Hospital, where the Applicant also reached. Despite being fully aware that the injuries had not been sustained in a road accident, she deliberately misled the doctors attending on duty by projecting the case as one of a road traffic accident near Chander Vihar Bus Stand. She neither informed the family members of the deceased nor the local police and intentionally projected the place of occurrence as Chander Vihar Bus Stand, despite knowing fully well that the incident had taken place at Pankaj Plaza Market. It is further submitted that thereafter she returned to her residence and washed, cleaned and wiped away the bloodstains from the clothes worn by her husband Ritik and brother-in-law Vinay.

11. Learned APP further submits that the Call Detail Records as well as the initial investigation reveal that the Applicant was in constant telephonic contact with the main accused, Gaurav Kumar. She also attempted to create a false alibi. He submits that the custodial interrogation of the Applicant is imperative to unearth the criminal conspiracy, to ascertain the whereabouts of the absconding co-accused and to seize, inspect and forensically examine her mobile phone for recovery of the electronic trail. He further submits that the allegations against the Applicant are serious in nature. Despite having full knowledge that it was not a case of road traffic accident, she initially



misled the police as well as the hospital authorities by portraying it as a road traffic accident and further attempted to destroy material evidence by cleaning the clothes of the co-accused persons.

12. Considering the facts and circumstances of the case, the gravity of the offence and the specific role attributed to the Applicant, this Court is not inclined to grant anticipatory bail to the Applicant.

13. Accordingly, the present application is dismissed.

14. Pending applications, if any, also stand disposed of.

15. The order be uploaded on the website forthwith.

MADHU JAIN, J

JULY 2, 2026/ys/Av