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

+ **BAIL APPLN. 3892/2022 & CRL.M.A. 27585/2022**

AJAY NAGPAL

.....Petitioner

Through: Mr. Abhishek Usha Singh and Ms.
Deeksha Saggi, Advocates.

versus

STATE

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with SI Ashok, PS Farsh Bazar

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

17.02.2026

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1. The accused/applicant seeks anticipatory bail in case FIR No. 287/2022 of PS Farsh Bazar for offence under Section 420/34 IPC.
2. This anticipatory bail application was first listed on 23.12.2022 before the predecessor bench. Thereafter, vide order dated 14.03.2023, the predecessor bench directed the State not to arrest the accused/applicant till next date and in the meanwhile, seek a clarification from the Hon'ble Supreme Court. That the interim protection continued on date to date basis across different benches.
3. Today, for the first time this matter has come up before me.
4. Learned APP for State submits that the present FIR has already been transferred to the State of Telangana in compliance with order dated 12.05.2022 of the Hon'ble Supreme Court, followed by order dated



11.01.2023 of the trial magistrate. In this regard, learned counsel for accused/applicant submits that the Hon'ble Supreme Court never directed transfer of the present FIR to Telangana. That is the reason, according to learned APP for State that they have sought clarification from the Hon'ble Supreme Court. However, till date their clarification application has not been listed before the Hon'ble Supreme Court. It is submitted by learned APP for State that the present status is that this FIR stands transferred to Telangana, so the accused/applicant has no reasonable apprehension to be arrested by Delhi Police.

5. Keeping in mind the extremely old pendency of this application, learned APP for State, on instructions of IO/SI Ashok submits that as and when a clarification is obtained from the Hon'ble Supreme Court and the investigator considers it necessary to arrest the accused/applicant, he shall be given an advance notice of atleast 10 days so that he may again approach appropriate court for remedy.

6. In view of above submissions made by learned prosecutor, learned counsel for accused/applicant seeks permission to withdraw this anticipatory bail application with liberty to file afresh upon receipt of the said advance notice.

7. Accordingly, this anticipatory bail as well as pending application is dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

FEBRUARY 17, 2026/as