$~92

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

\# **CNR No. DLHC010524742026**

\+ CRL.M.C. 8155/2026, CRL.M.A. 34218/2026

XYZ .....Petitioner

Through: Mr. Sajid Ahmed, Mr. Firoz Iqbal Khan, Mr. Mohammad Faizan, Mr. Prajwal Chaturvedi and Mr. Akshay Jain, Advocates.

versus

STATE OF NCT OF DELHI AND ORS & ANR. .....Respondents

Through: Mr. Shoaib Haider, APP for State.
SI Mukesh Kumar, PS-Mundka.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 02.11.2026

1. The Petitioner, who is the complainant in FIR No. 288/2015 registered at P.S. Mundka, challenges the order dated 17th October, 2026, whereby the Sessions Court dismissed her applications seeking cancellation of anticipatory bail granted to Respondent No. 2, Anup Singh, on 31st May, 2017, and Respondent Nos. 3 and 4, Anita and Anil, on 3rd June, 2017.

2. The Respondents were granted anticipatory bail after the chargesheet had been filed without their arrest. Charges were subsequently framed on 24th March, 2022. The Petitioner now alleges that the Respondents have been threatening her to prevent her from testifying in the pending trial. She principally relies upon an incident dated 9th June, 2026, which led to

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 05/11/2026 at 10:54:08

registration of FIR No. 343/2026, and subsequent complaints alleging intimidation and threats to her life. The Respondents have disputed these allegations, referring also to the continuing dispute concerning the family property.

3. The principles governing cancellation of bail are settled. In ***Dolat Ram v. State of Haryana***,[1] the Supreme Court held that cancellation of bail already granted requires cogent circumstances, including interference with the administration of justice or misuse of the concession of bail. Subsequent criminal conduct and intimidation of witnesses may also justify cancellation, as recognized in ***P v. State of Madhya Pradesh***.[2] The Court must, however, examine the material supporting the alleged misconduct; registration of another FIR does not automatically warrant cancellation of an earlier bail order.

4. The incident dated 9th June, 2026, cannot be disregarded merely because it forms the subject of a separate FIR. The record includes a chargesheet dated 14th September, 2026, against the Respondents and Ankit under Sections 118(1), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The medical record notes injuries to the Petitioner, subsequently opined to be simple in nature. However, the assault with the sharp-edged weapon is specifically attributed to Ankit. The incident is stated to have occurred when the Petitioner visited her matrimonial house to attend to her belongings. Although the earlier proceedings are mentioned in the FIR, the allegations concerning the incident itself do not indicate that the assault was accompanied by any demand that she refrain from testifying or withdraw

[1] (1995) 1 SCC 349.
[2] (2022) 15 SCC 211.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 05/11/2026 at 10:54:08

FIR No. 288/2015. The alleged participation of the Respondents in that incident will be examined in the separate prosecution. On the material presently available, it does not furnish sufficient ground to withdraw the anticipatory bail granted in the earlier case.

5. The complaints dated 16th and 18th June, 2026 allege threats by unidentified persons, including warnings against pursuing the criminal proceedings. These allegations deserve attention. The absence of an immediate call to the police, by itself, would not discredit a written complaint. Nevertheless, the complaints contain no particulars or supporting material connecting those persons with the Respondents, beyond the Petitioner's own assertions. The complaint dated 29th June, 2026 names the Respondents but does not adequately explain the circumstances in which the alleged threats were conveyed. It also concerns the Petitioner's asserted right to enter and claim a share in the matrimonial property. These allegations do not sufficiently establish an attempt by the Respondents to interfere with her testimony.

6. The Petitioner also relies upon the Magistrate's order dated 23rd July, 2026. That order records her apprehension of threats and directs the Investigating Officer to record her statement at her residence. It does not contain a finding that the Respondents had threatened her. The Sessions Court also noticed that, when the Petitioner did not appear before the Trial Court on 5th June, 2026, the reason recorded in the order-sheet was a medical exigency, rather than intimidation. While neither circumstance is conclusive, both were relevant to the assessment of the allegations.

7. The Respondents have enjoyed the protection of anticipatory bail since 2017. Having considered the subsequent FIR, the chargesheet and the

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 05/11/2026 at 10:54:08

complaints relied upon by the Petitioner, this Court is not persuaded that circumstances have been established which make their continued liberty incompatible with the fair conduct of the pending trial. The Sessions Court's refusal to cancel bail, therefore, does not warrant interference.

8. Accordingly, the present petition is dismissed. The observations made herein are limited to the adjudication of the present petition and shall not affect the proceedings arising out of FIR No. 343/2026 or the consideration of any request by the Petitioner for protection during her testimony before the Trial Court.

SANJEEV NARULA, J

NOVEMBER 2, 2026
ab

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 05/11/2026 at 10:54:08