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

+ **BAIL APPLN. 4154/2025 & CRL.M.A. 32295/2025**

ANJANA CHAWALA

.....Petitioner

Through: Mr. Saroj Kumar Singh and Mr.
Varun Jain, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State.
SI Dhananjay Gupta, P.S.: Kirti
Nagar.

Mr. Jitin Kumar, Mr. J.K. Sharma and
Mr. Rahul Chaudhary, Advocates for
complainant with complainant in
person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

06.04.2026

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By way of the present petition filed under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the petitioner seeks anticipatory bail in case FIR No. 554/2021 dated 13.12.2021 registered under sections 420/120B of the Indian Penal Code, 1860 ('IPC') at P.S.: Kirti Nagar, New Delhi.

2. Investigation in the case is complete; and chargesheet dated 14.12.2023 has been filed. *Vidé* order dated 11.08.2023, the petitioner was declared a 'proclaimed person.' Subsequently, the offence under section 174A of the IPC has also been added to the chargesheet.



3. *Vidé* order dated 23.09.2025, the petitioner's anticipatory bail was rejected by the learned Sessions Court.
4. Notice on this petition was issued by the learned Predecessor Bench *vidé* order dated 03.11.2025. At that stage, it was represented on behalf of the petitioner that the complainant had settled the matter with 03 other co-accused persons; and accordingly, the petitioner was granted an interim protective order in the present proceedings. On that date, notice was issued to the complainant as well.
5. The complainant is present in court today; and she is also represented by counsel.
6. Learned counsel for the petitioner submits, that as would be seen from a perusal of the subject FIR, the petitioner had no transaction with the complainant; and the essence of the allegation is, that the petitioner alongwith her husband had transferred a certain property in favour of 03 other co-accused persons, who subsequently transferred the same to the complainant. The allegation is that the property transferred by the petitioner and her husband to the co-accused persons was already mortgaged with a lending institution.
7. Ms. Shubhi Gupta, learned APP for the State takes preliminary objection to the maintainability of the present anticipatory bail petition, submitting that since the petitioner has been declared a 'proclaimed person'; and has subsequently also been charge-sheeted for the offence under 174A of the IPC, the present petition is not



maintainable in view of the verdict of the Supreme Court in ***Srikant Upadhyay & Ors. vs. State of Bihar & Anr.***¹

8. That apart, learned APP submits, that the petitioner is one of the primary accused persons in the matter, since the title to the property (which was mortgaged with a lending institution) vested in the petitioner and her husband. Besides, it is submitted, that though the complainant has compromised the matter with the other 03 co-accused person, she has not settled the matter with the petitioner.
9. Learned APP submits, that as recorded in order dated 23.09.2025 passed by the learned Sessions Court, it appears that the petitioner and her husband were fully aware of the pendency of the proceedings before the learned Magistrate, since the petitioner's brother-in-law (husband's brother) was called for investigation and was residing at the same address as the petitioner.
10. Furthermore, learned APP submits, that as recorded in order dated 23.09.2025, the petitioner and her husband had also attempted to settle the matter with the complainant; and had handed-over copies of certain demand drafts towards that settlement, but thereafter the petitioners did not act on the settlement and did not pay any money to the complainant.
11. The complainant has also been heard. She submits, that the petitioner and her husband had sought to settle the matter with her and had also promised her a certain sum of money, but they never paid-up.

¹ (2024) 12 SCC 382



12. Upon conspectus of the foregoing, and in particular in view of the verdict of the Supreme Court in *Srikant Upadhyay*, since the petitioner is a 'proclaimed person' and has now also been charge-sheeted *inter-alia* under section 174A of IPC, this court is not inclined to entertain the present anticipatory bail plea.
13. The petition is accordingly dismissed.
14. Pending applications, if any, disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 6, 2026/hb