



\$~10

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4447/2025**
PANKAJ MEHTA @ PANKAJ BHARADWAJPetitioner
Through: Mr. Arvind Kumar Shukla, Ms.
Surbhi Khanna, Mr. Sanskar
Krishnan & Ms. Neena Shukla,
Advocates.

versus

STATE OF NCT OF DELHI AND ANRRespondents
Through: Mr. Hitesh Vali, APP for State.
SI Sakshi, PS Nangloi.
Mr. Devendra Rao Madhav, Mr.
Durga Datt, Mr. Sushant Malik,
Mr. Pradeep Yadav, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **25.02.2026**

1. The petitioner seeks anticipatory bail in connection with FIR No. 379/2025 dated 04.10.2025 registered at Police Station Nangloi under Sections 74/75/76/79 of the Bharatiya Nyaya Sanhita, 2023 ["BNS"].
2. The FIR was registered on the basis of a complaint of the prosecutrix dated 22.09.2025. The contents of the FIR may be summarized as follows:

- (a) The prosecutrix's mother was working with the petitioner in his proprietorship concern, Elgo Master Services Company since May 2024. The firm was engaged in the business of stock marketing.
- (b) One Harsh Bhagat, who was a former colleague of the prosecutrix's mother at Elgo Master Services, formed his own company and offered a job to the prosecutrix, which she joined on 27.01.2025. She was working on the post of a customer executive.



It is contended that this led to the petitioner expressing annoyance towards the prosecutrix's mother, who continued to work in Elgo Master Services Company. The petitioner allegedly wanted the prosecutrix to join his company.

(c) Upon the prosecutrix's refusal to work with the petitioner, he called her repeatedly, and threatened to rape and kill her.

(d) On 20.09.2025, around 9:30 PM, when the prosecutrix was returning from work, and was purchasing fruit from a vendor near the Nangloi Metro Station, whom she described as "Muslim uncle", the petitioner came on foot and allegedly held her, hit her on the chest and attempted to tear her clothes. He asked her to go with him, and threatened her with rape. It is also stated that the fruit vendor attempted to stop the petitioner.

3. Mr. Arvind Kumar Shukla, learned counsel for the petitioner, submits as follows:

(a) The subject FIR has been lodged by the prosecutrix in retaliation against a complaint made by the petitioner against her mother. A copy of the said complaint dated 03.09.2025, addressed to the Station House Officer ["SHO"], P.S. Nangloi, has been annexed to the present application. It states that the prosecutrix's mother left the employment of Elgo Master Services Company in March 2025, and thereafter joined a rival company. She thereafter misused the petitioner's client database, contact details and business information, and collected money in the petitioner's name. Mr. Shukla draws my attention to a specific allegation that the prosecutrix's mother had threatened him with filing of false police



complaints. He submits that no FIR has been registered pursuant to the aforesaid complaint, but the prosecutrix has thereafter made a complaint based upon the alleged incident on 20.09.2025.

(b) As far as the specific incident of 20.09.2025 is concerned, Mr. Shukla submits that the allegation is entirely false and concocted. He submits that CCTV footage of the entrance of his residence shows that he entered his residence at about 8:30 PM on 20.09.2025 [the date of the alleged incident], which is prior to the alleged time of incident, and did not leave thereafter.

4. Mr. Hitesh Vali, learned Additional Public Prosecutor, relies upon three status reports filed by the prosecution in the present case, dated 02.12.2025, 22.12.2025 and 23.02.2026. The status report dated 23.02.2026 is handed up in Court, and is taken on record.

5. In the first status report dated 02.12.2025, reference is made to the prosecutrix's statement under Section 183 of the BNSS, which reiterates the allegations in the complaint, and states that the petitioner has not joined investigation, despite two notices under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is also contended that the petitioner has attempted to influence the investigation through a friend of the prosecutrix's relative, namely Rajender Singh, and that Rajender Singh had submitted a complaint to this effect alongwith screenshots of call logs.

6. The second status report dated 22.12.2025 deals further with the alleged threats by the petitioner to the complainant, and the identification of the fruit vendor, in front of whom the incident is alleged to have taken place. The contents of the said status report are reproduced below:



“Most respectfully sheweth that in continuation of the previous status report it is submitted that this Hon'ble Court passed directions to prepare a fresh status report regarding the alleged threats given by the petitioner to the complainant. In compliance with the said directions, the complainant was contacted and requested to provide details of the alleged threats. However, she refused to give any detail about threats or influence. She also declined to provide the said factum in writing.

It is pertinent to mention that although the complainant stated that a fruit vendor was present at the spot at the time of the alleged incident, during the course of investigation the IO, SI Sakshi, frequently accompanied the complainant to the spot for identification of the said fruit vendor. Despite repeated visits, the complainant failed to identify any such fruit vendor.”

[Emphasis supplied.]

7. The third status report dated 23.02.2026 states as follows:

“Most respectfully sheweth that in continuation of the previous status report it is submitted that this Hon'ble Court passed directions to prepare a fresh status report regarding the alleged threats given by the petitioner to the complainant. In compliance with the said directions, the complainant was contacted and requested to provide details of the alleged threats. Though the complainant did not inform any particular date of alleged threat, however she handed over a pen-drive containing some audio and video clips. The complainant was requested to clarify the incidents with regards to audio and video clips, however the complainant admitted that pen-drive did not contain files pertaining to the present case and the incident in the file is old and much prior to the incident mentioned in present case.

It is pertinent to submit that although the complainant specifically stated that a particular muslim fruit vendor was present at the spot at the time of the alleged incident, during the course of investigation the IO, SI Sakshi, on several occasions accompanied the complainant to the spot for identification of the said fruit vendor. But the complainant failed to identify any such fruit vendor mentioned in the present FIR.

During the course of investigation, the petitioner produced CCTV footage of date of alleged incident i.e 20/09/2025 from the camera installed at his residence. Upon preliminary analysis, the footage reveals that the petitioner was seen entering his house at around 08:33 PM and did not leave his home until 10:30 PM. In contrast, the complainant has alleged that the incident occurred at around 09:30 PM. The Pen-Drive was seized and sent to FSL Rohini for



examination.

The investigation of the present case is completed, and the Final Report shall be filed before the concerned competent court shortly.”

[Emphasis supplied.]

8. Mr. Devendra Rao Madhav, learned counsel for the complainant, opposes the grant of anticipatory bail, referring to the aforesaid allegation against the petitioner, and particularly to the allegations with regard to the threats to the complainant.

9. Although, in an application for anticipatory bail, the Court must cautiously balance the requirements of a free and fair investigation with liberty of the accused, having heard learned counsel for the parties, I am of the view that grant of anticipatory bail in the present circumstances is justified on the basis of the following *prima facie* material placed on record:

(a) The specific incident referred to is of 20.09.2025 on about 9:30 PM, near Nangloi Metro Station. The third status report corroborates the petitioner’s case that he entered his house at 8:30 PM and did not leave his home at least until 10:30 PM, which is *prima facie* inconsistent with the prosecutrix’s case.

(b) According to the prosecution, the prosecutrix has also not been able to identify the fruit vendor, who is alleged to be a witness to the incident.

(c) As far as the alleged allegations of threats to the complainant are concerned, both the second and third status reports extracted above, do not support a finding in the prosecutrix’s favour.

10. These factors are, in my view, sufficient to protect the petitioner from deprivation of his liberty, even leaving aside for the present, the



allegation of the petitioner that the present FIR is a retaliatory exercise. It is not necessary at this stage to address this allegation in greater detail as a *prima facie* view of the material is sufficient.

11. It may be noted that the prosecution has also stated that the investigation is complete, and the final report shall be filed. There is therefore no requirement of custodial interrogation of the petitioner.

12. For the aforesaid reasons, it is directed that, in the event of arrest in connection with FIR No. 379/2025 dated 04.10.2025 registered at Police Station Nangloi, the petitioner will be released on bail, subject to furnishing of a personal bond in the sum of Rs. 15,000/- with one surety in the like amount, to the satisfaction of the Investigating Officer [“IO”]/Station House Officer, and subject to the following conditions:

- a. The petitioner shall join the investigation as and when required by the IO;
- b. The petitioner shall furnish his mobile number to the IO and shall ensure that the said mobile phone remains operational and switched on at all times. The mobile number shall not be changed, nor shall the phone be switched off, without prior intimation to the IO;
- c. The petitioner shall furnish his residential address to the IO and shall not change the same without prior intimation to the IO;
- d. The petitioner shall not, directly or indirectly, contact or attempt to contact the prosecutrix or any witness, nor shall he tamper with the evidence in any manner whatsoever;
- e. The petitioner shall not commit any offence during the pendency of the proceedings.

13. The bail application stands disposed of in the above terms.



14. It is clarified that the observations made herein are solely for the purpose of adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

PRATEEK JALAN, J

FEBRUARY 25, 2026

SS/pv/AD/