



2026:DHC:170



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

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Date of Decision: 09.01.2026+ **BAIL APPLN. 4564/2025 & CRL.M.A. 35248/2025**

YASH

.....Petitioner

Through: Mr. Rohit Gupta, Advocate

versus

STATE GOVT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for State with SI
Vibhu Sharma, PS Subzi Mandi
Mr. Raghav Mehdiratta, Advocate for
complainant *de facto*+ **BAIL APPLN. 4567/2025 CRL.M.A. 35255/2025**

SHIVAM

.....Petitioner

Through: Mr. Rohit Gupta, Advocate

versus

STATE GOVT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for State with SI
Vibhu Sharma, PS Subzi Mandi
Mr. Raghav Mehdiratta, Advocate for
complainant *de facto***CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicants seek anticipatory bail in case FIR No.

*BAIL APPLICATIONS 4564/2025 & 4567/2025**Page 1 of 3 pages*GIRISH
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509/2025 of PS Subzi Mandi for offence under Section 110/351(2)/3(5) of BNS.

2. At the outset, learned APP on instructions of IO/SI Vibhu Sharma, submits that subsequent to further investigation in the case, the police does not want to arrest the accused/applicants.

3. However, learned counsel for complainant *de facto* submits that mother and wife of the accused Shivam have been harassing the family of the complainant *de facto* regarding which he filed a complaint as well. Be that as it may, the prosecution is not with the complainant *de facto* on this aspect.

4. Broadly speaking, the accused/applicants are cousins of the complainant *de facto* and their fathers are embroiled in property dispute. The incident in question seems to have occurred in the heat of moment, whereby two groups, one consisting of the complainant *de facto* and his companions, while the other consisting of the accused/applicants clashed with each other leading to registration of cross FIRs. The present complainant *de facto* also is an accused in the cross FIR. The allegation against accused Yash is that he assaulted the victim with fists and kicks, while the allegation against accused Shivam is that he hit a stone on the head of the victim. MLC of the victim Nitin reflects laceration over forehead approximately 2x1 cm and bruise over right side of the neck. The accused/applicants were protected from arrest by order dated 01.12.2025 of the predecessor bench.

BAIL APPLICATIONS 4564/2025 & 4567/2025

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5. Considering the overall circumstances described above, there is no occasion to deprive the accused/applicants liberty. Therefore, both anticipatory bail applications are allowed and it is directed that in the event of their arrest, the accused/applicants shall be released on bail, subject to each of them furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the IO/SHO. Accompanying applications also stand disposed of.

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**GIRISH KATHPALIA
(JUDGE)**

JANUARY 9, 2026/as