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

+ **BAIL APPLN. 4835/2025**

ARMAN

.....Petitioner

Through: Mr. Mukesh Kalia, Mr. Chetan
Pangasa, Ms. Kanika Vohra, Advs.

Versus

THE STATE N.C.T OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

03.02.2026

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1. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of FIR bearing no. 550/2025, registered at Police Station Model Town, Delhi, for the commission of the offence punishable under Sections 74/115(2)/126(2)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter '*BNS*').

2. The brief facts of the present case are that on the intervening night of 31.10.2025 / 01.11.2025, at about 01:00 AM, the complainant was standing on the street in front of her house along with her husband, as they were about to leave for Prahladpur, Delhi. While the complainant's husband had gone to bring the car from the parking area, the co-accused persons Binder and Vijender Kumar, who are neighbours of the complainant, came from behind. Co-accused Binder caught hold of the complainant from behind. When the complainant somehow freed herself and attempted to move away, co-accused Vijender Kumar blocked her way and attempted to remove her



shirt. Upon the complainant raising an alarm, co-accused Aman, nephew of co-accused Binder and Vijender Kumar, arrived at the spot. The accused persons attempted to pull the complainant down, and co-accused Aman pulled her hair, threw her on the ground, and started misbehaving with her. On hearing the complainant's cries, her family members reached the spot and lifted her from the ground. Thereafter, co-accused Vijender Kumar, Binder, and Aman started assaulting the complainant and her family members. Co-accused Vijender Kumar and Binder then called their nephew, co-accused Sibbu, who arrived at the spot armed with a sharp object and assaulted the complainant and her family members, causing injuries. Thereafter, Arman (the present applicant/accused) also arrived at the spot, and all the accused persons, acting in furtherance of their common intention, jointly attacked the complainant and her family members with sticks, stones, and flower pots.

3. Subsequently, during the night, the injured persons from the complainant's family were taken to BJRM Hospital, where medical examination of all four injured persons was conducted, and treatment was provided. Thereafter, the complainant was produced before the learned Magistrate where her statement was recorded under Section 183 of the BNSS, in which she reiterated and supported her earlier statement given to the police.

4. The learned counsel appearing on behalf of the applicant/accused argues that there is nothing to suggest that the present applicant/accused has caused injuries to the complainant and has been falsely implicated in the present case. It is also argued that the complainant has filed the present complaint due to previous animosity. The learned counsel further argues that



the applicant/accused is ready to join the investigation as and when required by the I.O. Further, it is pointed out that no recovery is to be affected at the behest of the petitioner, nor is his custodial interrogation required in the case. Therefore, it is prayed that anticipatory bail be granted to the present.

5. *Per contra*, the learned APP appearing for the State, argues that the applicant/accused herein actively participated in the commission of the offence and inflicted injuries upon the injured persons by using a stick. It is further contended that, despite service of notice under Section 41A of the Cr.P.C., the applicant/accused failed to join the investigation, pursuant to which NBWs were issued against him. The learned APP further argues that interim protection was thereafter granted to the applicant/accused by the learned Coordinate Bench, pursuant to which the applicant/accused joined the investigation on 20.11.2025; however, he has not cooperated with the investigation. It is also contended that even after registration of the FIR, the applicant/accused has repeatedly threatened the complainant, on account of which the complainant was constrained to lodge complaints dated 16.11.2025 and 09.01.2026. Accordingly, it is prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed on behalf of the applicant and the State, and has perused the case file.

7. It is pertinent to note that the statement of the victim was recorded under Section 183 of BNS, 2023, wherein the victim has categorically stated that *“Vijender attempted to remove my pyjama but was unsuccessful. Thereafter, all of them, namely Vijender, Binder, Shivam, Aman, and Arman, forced me to lie down and attempted to remove my pyjama, and all of them kicked me on my private parts.”*



8. It is further relevant to note that notices were issued to the family members of the applicant/accused; however, despite due service, the applicant/accused failed to appear before the investigating agency. Consequently, NBW was issued against the applicant/accused on 29.11.2025.

9. It is also noted that the applicant/accused had filed an application seeking anticipatory bail, pursuant to which an order was passed directing that no coercive action be taken against him till 15.01.2026. Subsequently, on 20.11.2025, the applicant/accused joined the investigation. However, it is noted that the applicant/accused has not cooperated with the investigation.

10. This Court further notes that the applicant/accused and the complainant are neighbours and that the applicant/accused has been continuously extending threats to the complainant. In this regard, complaints have been duly lodged by the complainant vide complaints dated 16.11.2025 and 09.01.2026.

11. Considering the overall facts and circumstances of the present case, and in view of the serious nature of the allegations against the applicant/accused, coupled with his non-cooperation in the investigation, this Court is not inclined to grant anticipatory bail to the applicant/accused.

12. The present bail application is, accordingly, dismissed.

13. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 03, 2026/R