$~76 & 77

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

% ***Date of Decision : 27.11.2026***

\# **CNR No.DLHC010553492026**

\+ **BAIL APPLN. 4943/2026, CRL.M.(BAIL) 2210/2026**

(76) MR VIJENDER KUMAR VATS .....Petitioner

Through: Mr. Mohit Kr. Auluck, Mr. Rahul Singh, Advs.

versus

STATE OF NCT OF DELHI & ANR. .....Respondent

Through: Mr. Hemant Mehla (APP)
Mr. Hari Ram ASI/ STF/ Rohini

\# **CNR No.DLHC010553542026**

\+ **CRL.M.C. 8565/2026**

(77) MR VIJENDER KUMAR VATS & ANR. .....Petitioner

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versus

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CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (*ORAL*)

CRL.M.A. 35989/2026 - EX(FILING CERTIFIED COPIES OF ANNX.) in BAIL APPLN. 4943/2026

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.A. 35991/2026 - EX(FILING CERTIFIED COPIES OF ANNX.) in CRL.M.C. 8565/2026

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3. The application is disposed of with a direction to file certified copies of annexures before the next date of hearing.

BAIL APPLN. 4943/2026

4. The present application has been filed by the petitioner/ applicant under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*"BNSS"*) seeking grant of regular bail in case arising out of FIR No. 0343/2026 dated 20.06.2026 registered at P.S. Kanjhawala under Sections 110/ 115(2)/ 126(2)/ 351(2)/ 303(2)/ 3(5) of the Bhartiya Nyaya Sanhita, 2023 ("*BNS*"). As per the Status Report dated 23.11.2026 filed on behalf of the State, Sections 61 and 253 BNS have also been subsequently added.

5. The petitioner has also filed CRL.M.C. 8565/2026 along with his son, Harsh Vardhan Vats (co-accused) seeking quashing of the said FIR on the basis of a settlement.

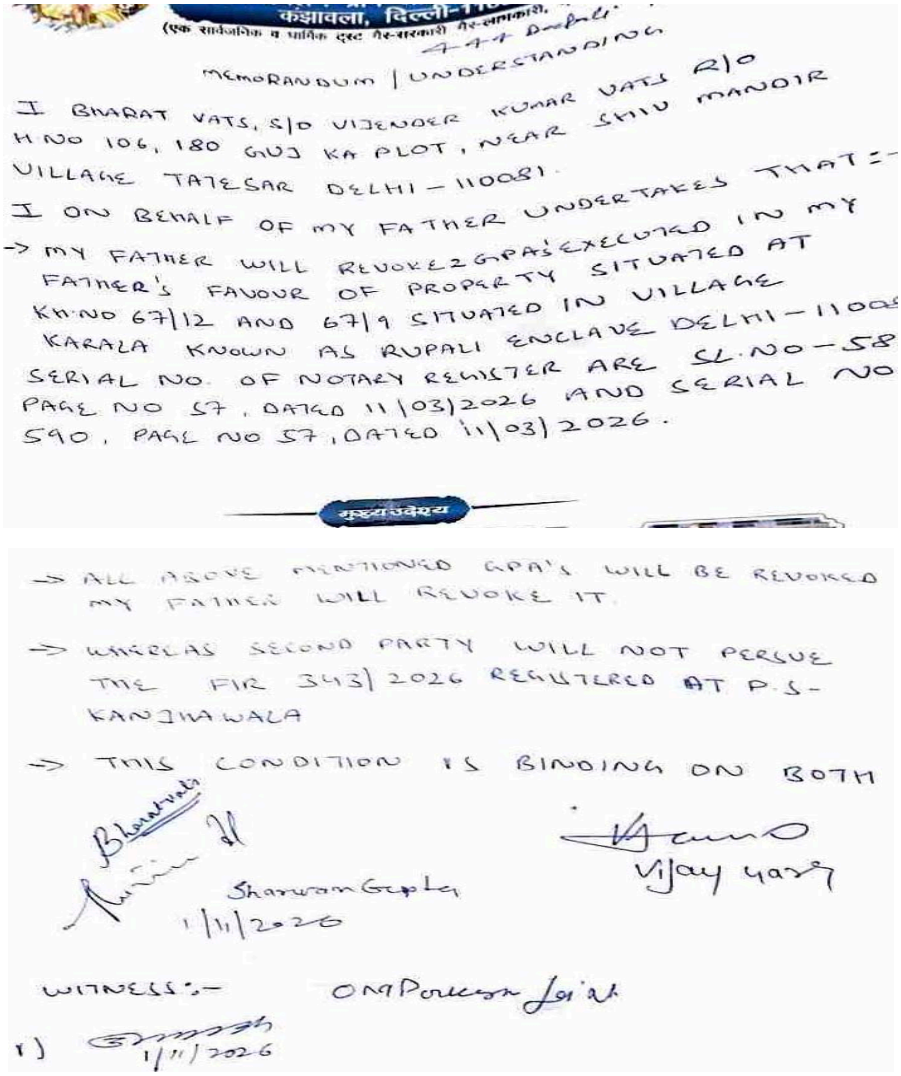
6. The factual conspectus of the present matter is that, on 19.06.2026, at about 11:45 P.M., in the backdrop of a dispute regarding the ownership of land, about six persons, including the petitioner and his son, came to the said land, armed with rods and axes and assaulted the complainant and his brother. It is further alleged that the complainant's brother was hit on the head with a rod due to which he fell unconscious and that his bag and purse containing Rs. 30,000/- were taken away.

7. Thereafter, the petitioner/ applicant was arrested on 30.10.2026. The chargesheet is yet to be filed in the matter.

8. It is informed that the underlying dispute which led to the said altercation has now been settled by the respective parties and a Settlement deed dated 01.11.2026 has been executed on behalf of the petitioner, who

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was then in custody. The said settlement deed has been signed by his son i.e. Bharat Vats. The said settlement reads as under:



MEMORANDUM / UNDERSTANDING

I BHARAT VATS, S/O VIJENDER KUMAR VATS R/O H.NO 106, 180 GUJ KA PLOT, NEAR SHIV MANDIR VILLAGE TATESAR DELHI – 110081.

I ON BEHALF OF MY FATHER UNDERTAKES THAT :-

-> MY FATHER WILL REVOKE 2 GPA'S EXECUTED IN MY FATHER'S FAVOUR OF PROPERTY SITUATED AT KH.NO 67/12 AND 67/9 SITUATED IN VILLAGE KARALA KNOWN AS RUPALI ENCLAVE DELHI – 110081 SERIAL NO. OF NOTARY REGISTER ARE SL.NO – 58 PAGE NO 57, DATED 11/03/2026 AND SERIAL NO 590, PAGE NO 57, DATED 11/03/2026.

-> ALL ABOVE MENTIONED GPA'S WILL BE REVOKED MY FATHER WILL REVOKE IT.

-> WHEREAS SECOND PARTY WILL NOT PERSUE THE FIR 343/2026 REGISTERED AT P.S- KANJHAWALA

-> THIS CONDITION IS BINDING ON BOTH

Bharat Vats
Sharwan Gupta
1/11/2026

Vijay Yadav

WITNESS :-
1) 1/11/2026

9. In the opinion of this Court, having considered the matter, the petitioner is entitled to the grant of regular bail.

10. It is noticed that the offences alleged carry a maximum sentence of 07 years; the petitioner has been in custody since 30.10.2026, and no recovery has been effected from him during his police custody remand. The petitioner's continued incarceration is not shown to be necessary for the

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remaining investigation. In this regard, reliance may be placed upon the judgment rendered by the Supreme Court in ***Gudikanti Narasimhulu v. Public Prosecutor, High Court of A.P.***, (1978) 1 SCC 240, wherein the Court has observed as under:

> ***"10.*** *The significance and sweep of Article 21 make the deprivation of liberty a matter of grave concern and permissible only when the law authorising it is reasonable, even-handed and geared to the goals of community good and State necessity spelt out in Article 19. Indeed, the considerations I have set out as criteria are germane to the constitutional proposition I have deduced. Reasonableness postulates intelligent care and predicates that deprivation of freedom by refusal of bail is not for punitive purpose but for the bi-focal interests of justice — to the individual involved and society affected.*
> ***11.*** *We must weight the contrary factors to answer the test of reasonableness, subject to the need for securing the presence of the bail applicant. It makes sense to assume that a man on bail has a better chance to prepare or present his case than one remanded in custody. And if public justice is to be promoted, mechanical detention should be demoted.…."*

11. It is also apposite to refer to the judgment rendered by the Supreme Court in ***Sanjay Chandra v. CBI***, (2012) 1 SCC 40, wherein it has been observed as under:

> *"**21.** In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty."*

12. The parties are also stated to have worked out their disputes by way of an *inter se* settlement.

13. In the circumstances, the petitioner/ applicant is admitted to regular bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one

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surety of the like amount, to the satisfaction of the learned trial Court, and subject to the following conditions:

i. The applicant/ accused shall join the investigation as and when called upon by the concerned Investigating Officer (I.O.)

ii. The applicant/accused shall not leave NCT of Delhi or travel out of the country without prior permission of the Trial Court;

iii. The applicant/accused shall provide his permanent address to the Trial Court, and also the address where he will be residing during the pendency of the case;

iv. The applicant/accused shall intimate the Investigating Officer (IO) and file an affidavit before the Trial Court regarding any change in his residential address;

v. The applicant/accused shall furnish his mobile number to the Investigating Officer (IO)/Station House Officer (SHO) concerned, which shall be kept in working condition at all times. The mobile number shall be kept switched on, with location services enabled at all times, and the same shall be shared with the IO. The mobile number shall not be changed without prior intimation to the IO during the pendency of the trial;

vi. The applicant/accused shall not directly or indirectly contact the complainant/victim, any prosecution witness, and their family members;

vii. The applicant/accused shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case, or tamper with the evidence of the case, in any manner whatsoever;

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viii. The applicant/accused shall appear before the Trial Court on each and every date of hearing;

ix. The applicant/accused shall not indulge in any criminal activity during the period of bail; and

x. The applicant/accused shall report to the concerned SHO, on the first Monday of every month at 11:00 a.m. and be discharged by 12:00 noon, after recording his presence and completion of the necessary formalities.

14. If any of these conditions is breached, it shall be open for the State to seek cancellation of bail.

15. The petition is disposed of in the above terms. The pending applications also stand disposed of.

16. The trial Court is requested to expedite the trial proceedings to the extent feasible.

17. It is clarified that the observations made herein are solely for the purpose of deciding the present bail application and shall neither influence the trial proceedings nor be construed as an expression of opinion of this Court on the merits of the case.

18. Let a copy of this order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

CRL.M.C. 8565/2026

19. As far as CRL.M.C. 8565/2026 is concerned, it is noticed that the settlement relied upon has not been signed by the petitioner and has instead been executed on behalf of the petitioner by his son.

20. Now, that the petitioner no.1 has been enlarged on bail, let the said Settlement Agreement be duly executed by the said petitioner himself. The

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prayer for quashing of the subject FIR on the basis of the settlement shall be considered on the next date of hearing subject to any submissions/ objections that may be raised by the learned APP for the State.

21. List on 01.02.2027.

22. Order *dasti.*

SACHIN DATTA, J

NOVEMBER 27, 2026/*uk(ka)*

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