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

% ***Date of Decision: 25th November, 2026***

\# **CNR No. DLHC010539292026**

\+ BAIL APPLN. 4799/2026

AMIT NAGAR .....Petitioner

Through: Mr. Karan Sachdeva and Ms. Richa Sharma, Advs.
M: 9811850014
Email: sachdevakaran@gmail.com

versus

STATE OF NCT DELHI .....Respondent

Through: Mr. Raj Kumar, APP for State
Mob: 9810405319
ACP Vivekanand Pathak, SI Amit Chaudhary, Crime Branch
M: 9899490606

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. *(Oral):*

1. The present application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") seeking grant of interim bail in connection with the First Information Report ("FIR") being *FIR No. 001860/2026*, registered at Police Station ("PS") Bhajanpura Crime Branch, under Sections 111/305(B)/336(3)/337/340(2)/341(2)/345(3) of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), and Section 3 of the Maharashtra Control of Organised Crime Act, 1999 ("MCOCA Act").

2. The interim bail is sought on the ground of the medical condition of the applicant's mother, who is suffering from chronic kidney disease and has been

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advised to undergo urgent admission for critical surgery. As per the application, the mother of the applicant is suffering a serious and potentially life-threatening medical condition requiring specialised medical attention and timely treatment.

3. Thus, the present application has been filed on the ground that the presence and assistance of the applicant is urgently required to facilitate the medical treatment and attend to the needs of his mother.

4. Learned counsel appearing for the petitioner relies upon the judgment dated 03rd February, 2026, passed by this Court in ***BAIL APPLN. 228/2026***, titled as ***Amit Gulia Versus State Govt. of NCT of Delhi***, in support of the present application seeking interim bail on the ground of the serious medical condition of the mother of the petitioner.

5. On the other hand, a Status Report dated 25th November, 2026, has been handed over by learned Additional Public Prosecutor ("APP") appearing for the State, which is taken on record.

6. Learned APP appearing for the State submits that the operation of the mother of the petitioner has already taken place.

7. Besides, he submits that the petitioner has an elder brother, a younger brother and 02 married sisters to take care of their mother.

8. He further draws the attention of this Court to the Status Report to submit that the petitioner has been found involved in 38 other criminal cases, including those under the Arms Act, 1959 ("Arms Act"), and those involving vehicle theft, during the preceding 10 years.

9. He, thus, submits that the petitioner is a notorious auto thief involved in various cases.

10. Learned APP appearing for the State also informs this Court that the

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petitioner has been arrested for an offence under the MCOCA Act. Therefore, he submits that the petitioner is currently under custody on account of 02 cases.

11. I have heard learned counsels appearing for the parties and perused the material on record.

12. This Court notes that the allegations against the petitioner are very serious in nature. Further, the petitioner has been involved in multiple criminal cases.

13. This Court also notes that the investigation in the matter is still ongoing and the release of the petitioner, even on interim bail, may hamper the investigation.

14. Pertinently, the Medical Report from the treating doctor of the mother of the petitioner clearly states that the mother has successfully undergone the operation at the hospital, is recovering well, and has been discharged on 22nd November, 2026.

15. This Court has also considered the judgment in the case of ***Amit Gulia (supra)*** as relied upon by learned counsel appearing for the petitioner.

16. However, it is to be noted that interim bail is not to be granted as a matter of right, and every case is decided on its own peculiar facts.

17. It is settled law that interim bail is not a matter of right, but a discretionary and an equitable relief. In this regard, it is apposite to refer to the order dated 24th April, 2025, passed by the Supreme Court in ***Asim Mallik Versus The State of Odisha, Special Leave Petition (Criminal) Diary No. 57403/2024***, whereby the following was observed:

> *"xxx xxx xxx*
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> ***……Though, it may be necessary in some cases to grant interim***

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bail to take care of specific contingencies, but as a routine, interim bail should not be granted. Either the Court should grant regular bail or should refuse to grant bail. Granting interim bail should be an exception, and should not be granted in a routine manner and repeatedly.

xxx xxx xxx"

(Emphasis Supplied)

18. Considering the fact that the mother of the petitioner has already successfully undergone operation and is stated to be recovering well and there are other family members to look after the mother of the petitioner, and also considering the fact that there are multiple offences in which the petitioner is involved, and that the investigation in the present case is still going on, this Court is not inclined to grant interim bail to the petitioner.

19. Accordingly, having regard to the facts and circumstances of the present case, this Court finds no ground to release the petitioner on interim bail.

20. The present application is dismissed for the aforesaid reasons.

MINI PUSHKARNA, J

NOVEMBER 25, 2026
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