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

% *Date of Decision: 02.11.2026*

CNR No. DLHC010524912026

\+ **BAIL APPLN. 4660/2026 & CRL.M.A. 34237/2026**

SAHIL HUSAIN .....Petitioner

Through: Mr. Anand Kumar Singh and Mohd. Naved, Advocates

versus

THE STATE (GOVT. OF NCT OF DELHI) .....Respondent

Through: Mr. Hitesh Vali, APP for State with SI Ankur

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No. 200/2026 of PS Jafrabad for offence under Section 110/3(5) BNS.

2. Broadly speaking, the prosecution case is as follows. On the midnight intervening 29.06.2026 and 30.06.2026, the complainant *de facto*, namely Varun and his friend Arjun while travelling on a motorcycle towards Ghonda Chowk, found an e-rickshaw parked in the middle of the road. When they objected to the same and asked the e-rickshaw driver to remove

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the same aside, the e-rickshaw driver started abusing Varun and Arjun. Thereafter, the e-rickshaw driver called his associates and within few minutes, around 20 persons, including the present accused/applicant arrived at the spot and brutally assaulted Varun and Arjun with fists and kicks, after which both of them were taken to JPC Hospital by PCR. The entire incident was captured in CCTV, footage whereof has been played in Court.

3. Learned counsel for accused/applicant submits that nothing incriminating has been recovered from the accused/applicant and investigation *qua* co-accused persons stands concluded. Learned counsel for accused/applicant also argues that there was no common intention between the accused/applicant and the remaining accused persons insofar as the accused/applicant was merely a bystander. It is also submitted by learned counsel that injuries suffered by Varun and Arjun were simple injuries.

4. Learned APP for State, assisted by IO/SI Ankur, accepts notice and strongly opposes the anticipatory bail application, referring to the CCTV footage played in court. It is also submitted that despite three notices, the accused/applicant has not joined investigation, so it is not a fit case to grant anticipatory bail. Further, it is submitted that interrogation of the accused/applicant is required in order to identify the remaining assailants. Learned APP for State has shown me MLC of injured Varun in which the injuries suffered by him were recorded to be grievous.

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5. To begin with, the CCTV footage shown to me in Court reflects the brazen lawlessness in which 15-20 assailants, including the present accused/applicant, all of whom are stated to be e-rickshaw drivers and the local residents, ganged up and assaulted two persons with not just fists and kicks but also with a chair lying at the spot. The injured Varun suffered fracture of nasal bone. The CCTV footage does not support the version of learned counsel for accused/applicant that he was merely a bystander.

6. The investigation pertaining to the accused/applicant remains incomplete as he did not join investigation despite three notices. It is clarified by IO that the completion of investigation is only *qua* the two Children in Conflict with Law, who were part of the assaulters.

7. The present is not an application for grant of regular bail. The present is an application for grant of anticipatory bail in which 15-20 persons, stated to be e-rickshaw drivers and the locals, brutally assaulted two persons. Grant of anticipatory bail in such case would send completely wrong signals to the society, encouraging such cases of road rage.

8. Therefore, it is not a fit case to grant anticipatory bail. The anticipatory bail application and the accompanying application are dismissed.

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(JUDGE)

NOVEMBER 2, 2026/*as*

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