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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 07.01.2026*+ **BAIL APPLN. 32/2026 & CRL.M.A. 373/2026**

PUSHKAR

.....Petitioner

Through: Ms. Shweta S. Kumar, Advocate

versus

THE STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI vishal, PS Bhalaswa Dairy.
Shri S.K. Kaushik, Advocate for
complainant *de facto*.

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 838/2025 of PS Bhalaswa Dairy for offence under Section 110/351(3)/3(5) of BNS.

2. Learned APP assisted by IO/SI Vishal and Shri S.K. Kaushik, counsel for complainant *de facto* accepts notice and opposes the application, though also submits that there is no need to file any detailed status report.

3. Broadly speaking, the alleged incident of assault occurred on 07.12.2025 and the FIR was lodged on 09.12.2025. The first informant



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alleged in the FIR that on 07.12.2025 at about 05:30pm when he reached home, his father informed that the present accused/applicant and few others had misbehaved on the issue of passage; that as such, to complain against the misbehaviour of the present accused/applicant he went to the residence of the accused/applicant, where the accused/applicant and his cousin Harsh as well as Harsh's mother met him; and that when he was speaking with them, Tarun and Sahil reached there, after which Tarun caught hold of him and Sahil and Harsh assaulted with him with *dandas* and rods causing injuries on his forehead.

4. Learned counsel for accused/applicant submits that there is no previous involvement of the accused/applicant and he has been falsely implicated in this case. It is further submitted by the learned counsel that the accused/applicant is a young student whose career would suffer if he is arrested.

5. Learned APP, in all fairness, admits that the accused/applicant is not one of the assailants according to the FIR. Learned counsel for complainant *de facto* contends that the accused/applicant had exhorted Harsh, Tarun and Sahil to assault the complainant *de facto* but there is no such reference in the FIR.

6. In response to a specific query, the IO submits that Harsh, Sahil and Tarun are absconding and that there is no previous involvement of the accused/applicant.



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7. Considering the above circumstances, I find no reason to deprive the accused/applicant liberty. Therefore, the bail application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be released on bail, subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the IO/SHO. Accompanying application also stands disposed of.

**GIRISH KATHPALIA
(JUDGE)**

JANUARY 7, 2026/as