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

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*Date of Decision: 07.07.2026*

+ **BAIL APPLN. 2237/2026**

ABHISHEK

.....Petitioner

Through: Mr. Pushpender Shukla, Advocate

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State  
with SI Yogender Ahlawat

**CORAM: JUSTICE GIRISH KATHPALIA**

**J U D G M E N T (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 136/2026 of PS Nangloi for offence under Section 110/3(5) BNS.

2. Broadly speaking, allegation against the accused/applicant is that on 02.04.2026, on account of previous enmity, the accused/applicant and his associates assaulted the injured/first informant with fists, kicks and *danda*. The injured in his statement specifically named the present accused/applicant as assailant and alleged that the accused/applicant gave *danda* blows on head and neck of the injured due to which the latter fell



down and all the assailants fled away. The MLC of the injured prepared at Sanjay Gandhi Memorial Hospital reflects multiple injuries including a lacerated wound over mid-parietal region with bone visibility. As per the MLC, the injured had lost consciousness.

3. Learned counsel for accused/applicant submits that the accused/applicant was not involved in the alleged incident; and rather it is the accused/applicant who was attacked by few motorcycle borne persons, regarding which he even lodged a police complaint. Learned counsel for accused/applicant also contends that there was no assault on any vital part of the body of the injured and it is “only a wooden stick” that was used. Learned counsel for accused/applicant submits that no purpose would be served by sending the accused/applicant to jail.

4. Learned APP for State, assisted by IO/SI Yogender Ahlawat, strongly opposes the bail application on the ground that the injuries caused to the injured complainant were serious in nature and the accused/applicant has not been cooperating in the investigation for recovery of the *danda* used by him.

5. To begin with, as mentioned above, the accused/applicant has been specifically named as an assailant in the FIR. The submission of learned counsel that no vital part of body of the injured was assaulted is contrary to MLC, as narrated above. Even the weapon used was not an ordinary wooden stick, but a *danda*, that too, used with such a force that bone of the skull of injured got exposed and the injured lost consciousness.



6. To add to it, the accused/applicant has even tried to fabricate a version to save himself by alleging that he had lodged a police complaint about an assault on him. The said police complaint was lodged on 03.04.2026, i.e. next day after the incident pertaining to the present case. Not only this, learned counsel for accused/applicant admits that no medical examination or treatment was taken by the accused/applicant from any government or even private hospital after the alleged assault on him.

7. As mentioned above, the *danda* allegedly used by the accused/applicant is yet to be recovered and according to the IO, the accused/applicant has not been cooperating in that recovery.

8. It is not a case of regular bail. It is a case of anticipatory bail. Grant of anticipatory bail in such a case would convey wrong signals across the society, especially to the youth, conveying that one can assault anyone with impunity and obtain bail from courts.

9. I do not find it a fit case to grant anticipatory bail to the accused/applicant.

10. Therefore, anticipatory bail application is dismissed.

**GIRISH KATHPALIA  
(JUDGE)**

**JULY 07, 2026/as**