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

% *Date of Decision: 14.10.2026*

\# **CNR No. DLHC010387732026**

\+ **BAIL APPLN. 3431/2026**

GULSHAN @ KHATI .....Petitioner

Through: Counsel for petitioner (*appearance not given*).

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Amit Ahlawat, APP for State with IO/ACP Puran Chandra Pant.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 163/2019 of PS Special Cell for offence under Section 419/420/464/465/467/468/471/474/174A IPC, Section 3/4 of MCOCA and Section 35 of Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.

2. At the outset, learned APP for State, on instructions of IO/ACP, Puran Chandra Pant discloses that during pendency of this bail application, the

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accused/applicant Gulshan @ Khati obtained interim bail from the trial court by way of order dated 16.09.2026, keeping the trial court in dark about pendency of this bail application, so the present bail application is liable to be dismissed.

3. In response, learned counsel for accused/applicant submits that he had disclosed before the trial court about pendency of the present bail application. But from the order dated 16.09.2026 of the trial court, it appears that there is no mention about pendency of the present bail application before this court. To this, learned counsel for accused/applicant has shown me, in his mobile phone, a copy of the interim bail application, which mentions about pendency of this bail application.

4. But learned counsel for accused/applicant is unable to disclose any reason for not having filed the interim bail application before this court instead of approaching the trial court despite pendency of regular bail application here.

5. I find substance in the submission of learned APP that apparently, the accused/applicant deliberately filed interim bail application before the trial court by sneaking in the application, one single sentence of pendency of the present application. That was so because *prima facie* this bail application is not even maintainable in view of Section 12 of MCOCA.

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6. In view this fraud played by the accused/applicant on this court and the trial court, the present application is dismissed.

7. Copy of this order be sent to the trial court with the directions to send comments within one week explaining the circumstances in which despite pendency of the bail application in this court, interim bail was granted to the accused/applicant.

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GIRISH KATHPALIA
(JUDGE)

OCTOBER 14, 2026/*ry*

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