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

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Date of decision: 23rd July, 2025

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BAIL APPLN. 1596/2025

LALIT KUMAR @ NANDI

S/o Prem Singh

R/o H.No.J-453, Dakshin Puri,
Dr. Ambedkar Nagar, Sector 5,
New Delhi, Delhi-110062.

.....Petitioner

Through: Mr. Vidur Mohan and Ms. Prachi
Batra, Advocates.

versus

STATE (GNCT OF DELHI)

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP for
the State with SI Rajesh, PS
Ambedkar Nagar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. A Bail Application under Section 482 Cr.P.C. of BNSS read with Section 582 of BNSS has been filed on behalf of the Applicant Lalit Kumar @ Nandi for grant of Anticipatory Bail in case FIR No.566/24 under Section 109(1)/110/115(2)/333/3(5) registered at Police Station Ambedkar Nagar,



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Delhi.

2. It is submitted that the Applicant is 55 years old and working as Lab Assistant in a Government Hospital and has been falsely implicated in this case. The contents of the FIR are vague and do not disclose any offence against the Applicant. He has already joined investigations twice in terms of Order dated 27.02.2025 and 10.03.2025 and has fully cooperated in the investigations.

3. The Applicant had filed for Anticipatory Bail before the learned District & Sessions Judge on 26.02.2025, whereby he was granted interim protection on 27.02.2025. Thereafter, he had joined the investigations on 05.04.2025 and again on 14.04.2025. The I.O in his reply dated 17.04.2025 had stated that the Applicant had not brought any stick separately but had used the stick of the co-accused for allegedly giving beatings to the Complainant. He further had stated that no stick is required to be recovered from the Applicant.

4. The Chargesheet has already been filed by the I.O and the matter is listed before the learned CJM for committal to the Court of Sessions. The *dandas* allegedly used in commission of offence, have already been recovered and no recovery is to be effected from the Applicant. There is presumption of innocence in his favour till he is found guilty. The Bail is a rule and can be denied only in the most extra-ordinary circumstances. The Applicant undertakes not to tamper with the Prosecution witnesses or to threaten the witnesses. He is a permanent resident of Delhi and not a flight risk.

5. It is, therefore, submitted that he may be granted Anticipatory Bail.



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6. The **Status Report** has been filed on behalf of the State, wherein it has been detailed that the FIR was registered on the Complaint of Shri Rajat who had alleged that his neighbours i.e. seven persons including the Applicant Lalit @ Nandy had assaulted him as well as his brother Tushar and Abhishek, his mother Sunita and his aunt Savita in the incident which took place on 09.11.2024. The FIR was registered on 10.10.2024.

7. Raids were conducted for apprehension of the Assailants but they were all absconding from their residential address and evading the arrest. During the course of investigations, statements of Rajat, Savita, Sunita, Tushar and Abhishek were recorded under Section 180 BNSS, wherein they all stated that they had old enmity with the Accused persons who had been looking for an opportunity to take revenge. Therefore, they had attacked and repeatedly hit them with sticks on their head and vital parts.

8. During the course of the investigations, CCTV footage of alleged incident was collected, wherein all the Accused persons including the Applicant, can be seen coming out of their house with sticks in their hand and mercilessly giving stick blows on the head of the three injured persons namely Rajat, Tushar and Abhishek. As per the MLC, the injuries suffered by injured Abhishek were grievous in nature. Consequently, Section 109(1) BNSS was added to the FIR.

9. During the investigations, three Accused persons namely Puneet, Virender and Abhishek were arrested on 13.12.2024. The other accused namely Kuldeep @ Lala, Deepak and Avinash @ Roni were arrested on 19.12.2024.

10. Efforts were made to arrest the Applicant, but he was absconding



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from his residential address. Request was made for issuing NBW against him. In the meantime, on 27.02.2025 Applicant filed an Anticipatory Bail Application before the Court of Sessions, wherein Interim protection was granted to the Applicant. He had joined the investigation and had been interrogated at length in the form of questionnaire. He confessed his involvement in the crime and also that he took the stick from co-accused Kuldeep. In the CCTV footage, the active involvement of the Applicant is evident and he can be seen inflicting injury to the victim Abhishek with a stick.

11. The Anticipatory Bail Application of the Applicant has been dismissed by learned Sessions Judge on 29.04.2025. The Chargesheet has already been filed in the Court.

12. The Bail is opposed on the grounds of the active involvement of the Applicant in the commission of offence. Further, the offence committed is serious and heinous in nature. The Applicant has been deliberately evading his arrest. Moreover, his custodial investigation is required as the stick used for hitting the injured, is yet to be recovered.

13. A **Reply** has been filed by the Applicant to the Status Report.

14. **Submissions heard and the record perused.**

15. As per the FIR, No.566/2024 on the date of incident i.e. 09.11.2024 at about 10:30 P.M the Complainant and his brother were present on the First Floor and their brother on the Ground Floor. The Applicant Lalit @ Nandi, his sons Deepak, Kuldeep and Virender along with his three sons with whom the Complainant's family is having an old rivalry, reside in their neighbourhood. An earlier case against Abhishek has been registered by the



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assailants.

16. At about 10:30 P.M, these persons who live in their neighbourhood had set up a fire, the smoke of which was coming into their house. Tushar came out of the house at 10:45 P.M on which Kuldeep and his mother Suresh started abusing the brother. On hearing their voices, the Complainant and his brother came downstairs on which the Applicant along with the other co-accused, started giving them beatings with *dandas* and severally assaulted them. On his Complaint, the FIR was registered.

17. Admittedly, there is an old rivalry between the family of the Complainant and the Applicant and the other assailants. The fight took place on account of smoke coming into the house of the Complainant from the fire set up by the Assailants. As per the allegations, the beatings were given to the Complainant and the other injured with sticks and were severally beaten by Applicant and the other co-accused. As per the MLC, the injuries suffered by the Complainant are stated to be grievous in nature.

18. It is not denied that the Chargesheet already stands filed against the Accused persons. However, it is candidly admitted that the Applicant had tried to first get protection before joining the investigations, as he is in Government job. Immediately, on getting protection from the Court of Sessions in his Anticipatory Bail Application, he had joined the investigations. He has continued to do so under the interim protection given by this Court.

19. It is further brought forth from the **Status Report** that there were two sticks used for the commission of the alleged offence and that the Applicant had not brought any separate stick, but had used the stick brought by other



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co-accused persons. As per the **Status Report**, the two sticks have already been recovered.

20. The Applicant is in Government job and is not a flight risk. Since the investigations against the six accused stands completed and the Chargesheet filed and the Applicant has duly joined the investigations, it is directed that that in the event of his arrest, the Applicant/Petitioner shall be admitted to Bail by the Investigating Officer/Arresting Officer subject to the following conditions:

- (i) The Petitioner shall furnish a personal bond in the sum of Rs.35,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer;
- (ii) The Petitioner shall furnish her mobile number to the Investigating Officer on which she may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- (iii) If the Petitioner has a passport, she shall surrender the same to the Investigating Officer and shall not travel out of the country without prior permission of the Trial Court;
- (iv) The Petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.

21. The Petition stands disposed of in the above terms.

(NEENA BANSAL KRISHNA)



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JULY 23, 2025

va

JUDGE