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

% **Date of Decision: 23rd September, 2026**

CNR No. DLHC010350872026

+ **BAIL APPLN. 3088/2026**

VIJAY KUMAR

.....Petitioner

Through: **Mr. Pawan Mehta, Mr. Kanav Bhatta
and Mr. Lalit Kashyap, Advocates**

Mr. Nitin Bhardwaj, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: **Mr. Shoaib Haider, APP
SI Rajat Malik, PS Dwarka South**

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

1. The present bail application has been filed under Section 438 read with Section 528 of the of Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), seeking regular bail on behalf of the accused, i.e., Mr. Vijay Kumar, in *FIR 91/2025* dated 28th January, 2025, under Section 109(1) of Bharatiya Nyaya Sanhita, 2023 ("BNS"), registered at Police Station ("PS") Dwarka South, Dwarka, Delhi.
2. Learned counsel appearing for the applicant submits that the applicant had earlier filed six bail applications before the Trial Court, out of which,



four were withdrawn while two were dismissed.

3. He submits that there were matrimonial disputes between the applicant-husband and his wife, on account of which, they used to visit Court for hearing in the said matters.

4. He further submits that during one of such hearing, an altercation took place between the applicant-husband and his wife, pursuant to which, the applicant-husband attacked the wife within the Court premises.

5. Thus, on account of a complaint by the wife, the present FIR came to be lodged.

6. It is to be noted that the date of the incident in question is 28th January, 2025 and the applicant-husband was arrested on the same date, i.e., 28th January, 2025.

7. As per the submissions made before this Court, there is no previous incident in which the applicant has been involved.

8. This Court is further informed that the complainant, i.e., the wife of the applicant, has withdrawn all the matrimonial cases against the applicant, including, the divorce petition as well as the guardianship petition.

9. The complainant, Ms. Asha, is present in Court, and is identified by the Investigating Officer (“IO”).

10. This Court has interacted with Ms. Asha, the complainant, who submits that she has withdrawn all the matrimonial cases against her husband, i.e., the applicant. She further submits that she does not wish to pursue the present case against her husband.

11. The complainant further submits that she has already started visiting the applicant-husband’s family and wishes to move back to the residence of the applicant-husband, once he comes out of jail.



12. The complainant submits that she and the applicant-husband have a son, who is 11 years of age.

13. She, thus, submits that she wishes to resume her matrimonial life in a peaceful manner.

14. Learned Additional Public Prosecutor (“APP”) for the State submits that in view of no objection from the complainant herself, he also has no objection if the present bail application is allowed.

15. Accordingly, considering the overall conspectus of the facts and circumstances of the present case, this Court considers the present to be a fit case for grant of bail. It is directed that the applicant be released on regular bail in connection with *FIR 91/2025*, registered at PS Dwarka South, Dwarka, Delhi, subject to furnishing of a personal bond in the sum of Rs. 25,000/-, with one surety in the like amount, to the satisfaction of Trial Court, subject to the following further conditions:

- a. The applicant shall appear before the Trial Court on each and every date of hearing;
- b. The applicant shall provide his permanent address to the Trial Court, as also the address where he is residing during the pendency of the case. The applicant shall intimate the IO, and file an Affidavit before the Trial Court regarding any change in residential address;
- c. The applicant shall provide his mobile number to the concerned IO/Station House Officer (“SHO”), which shall be kept in working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;
- d. The applicant shall report to the jurisdictional PS on every Monday at



09:00 AM, and shall be released, within two hours after completion of formalities;

- e. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever. The IO is directed to monitor the situation and, in the event of any complaint being made, to inquire into the same in accordance with law;
- f. The applicant shall not commit any offence during the period of his release.

16. The present bail application is allowed and accordingly disposed of in aforesaid terms.

17. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

18. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

MINI PUSHKARNA, J

SEPTEMBER 23, 2026

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