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

+ **BAIL APPLN. 250/2018**

ARSALAN ALI

..... Petitioner

Represented by: **Mr. Adil Sharfuddin, Advocate.**

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: **Ms. Meenakshi Chauhan, APP
for State with SI Navdeep, PS
Kamla Market.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.03.2018

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1. By this petition the petitioner seeks bail in case FIR No. 182/2017 under Sections 395/397/412/34 IPC and Sections 25/27 Arms Act registered at PS Kamla Market, Delhi.

2. The above noted FIR was registered after the police reached the spot on receipt of DD No.5A wherein they met Hazi Bela, daughter of Salimuddeen who stated that she was sleeping alone at her home in the night when four people entered her house around 2.30 AM, tied her up with chunni, put a piece of cloth in her mouth, pressed a pistol against her head and looted ₹5 lakhs cash, two mobile phones and around 500 gms of gold jewellery. Further statement of the complainant's daughter was recorded who stated that she had kept her and her husband's jewellery with her mother's jewellery and mentioned the jewellery which was taken away.

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Both the complainant's daughter and her husband in their statements suspected the involvement of the present petitioner and alleged that it was at the behest of the present petitioner who was their distant relative. Pursuant to the recoding of the statements, petitioner was arrested on 14th July, 2017 when two mobile phones Samsung Galaxy On7 and Samsung Galaxy E-5, purportedly belonging to the complainant and stolen on the date of incident were recovered.

3. Learned APP for the State on instructions submits that in the above noted FIR examination in chief of the complainant is not complete and she is yet to be cross-examined as well, besides recording of other material witnesses.

4. Considering the nature of allegations and the fact that material witnesses are yet to be examined, this Court finds no ground to grant bail to the petitioner at this stage.

5. Petition is dismissed.

MUKTA GUPTA, J.

MARCH 20, 2018

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