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

+ **BAIL APPLN. 3698/2023**

MANISH GEHLOT

.....Petitioner

Through: Mr. Chemendra Kaushik, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for the State
with SI Sandeep Kumar PS PIA and
ASI Sudhir, PS Seema puri.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

05.09.2024

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1. The Bail Application under Section 439 of CrPC has been filed on behalf of the petitioner for grant of bail in FIR No. 01325/2021 for the offence under Section 392/397/411/34 IPC, registered at Police Station Patparganj Industrial Area Delhi.

2. It is submitted in the application that the FIR was registered for robbery on 26.12.2021. The investigation reveals that the petitioner/accused along with co-accused, Rahul Gupta, Vipul and Arun, were arrested. The present Petitioner was arrested on 14.01.2022 since when he is in judicial custody. Charges under Section 392/397/34 IPC and 25/24/59 of the Arms Act have been framed on 11.04.2022. The bail has been sought on the ground that he has been formally arrested in this case as the petitioner was already in custody in FIR No. 507/2021. It is submitted that the public



witnesses had been recorded and there is no chance of the petitioner threatening them. No CCTV footage has been collected from near the scene of incident to identify the accused persons. There is no incriminating evidence against the accused except the testimony of the witnesses. He has been arrested on the basis of a disclosure statement of the accused and nothing has been recovered from his possession. The trial will take a long time to be concluded. He is not previously convicted. He is a poor young boy and earns his livelihood by doing Labour job. Hence, the bail is sought in the present FIR.

3. As per the FIR, the complainant Sameer had stated that on 04.11.2021 at about 3:00 a.m., he was present near the ISBT for taking a bus to his native village but was unable to get the bus while he was coming back, a black colour Swift car stopped near him and its driver offered to drop him to Saket for which the fare was fixed at Rs.250/-. He set at the back seat of the car where two other persons were already present. The persons sitting in the back seat of the car threatened and they pointed a pistol each on his side and they also gave him beatings. They snatched his purse which contained Rs.6,000/- and ICICI Debit Card and also his mobile phone. Thereafter, they dropped him at OBC House, Delhi-99. During the investigation, the accused was traced and arrested on 14.01.2022. The complainant has already been identified the petitioner during evidence. It is submitted that in all, including the present FIR, there are three cases of similar nature against the accused.

4. The bail application is opposed by learned APP for the State.

5. **Submissions heard.**

6. It is pertinent to observe that there are two FIRs in a gap of about a month of similar nature whereby the complainants in the middle of the night



have been offered a lift in the car and thereafter threatened and robbery committed.

7. Considering the gravity of the offences and also the antecedents of the petitioner, no ground for bail is made out, which is hereby dismissed and disposed of accordingly.

NEENA BANSAL KRISHNA, J

SEPTEMBER 5, 2024/RS