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

+ **BAIL APPLN. 1521/2025**

RAJVEER@ WAZEER

.....Petitioner

Through: Mr. Kamlesh Kumar, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Kapil Singh, PS Bara Hindu Rao,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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22.04.2025

CRL.M.A. 11890/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

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3. The Bail Application under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Petitioner, Rajveer @ Wazeer for grant of Regular Bail in FIR No. 125/2022 under Section 395/397/412/34 of the Indian Penal Code, 1860 registered at Police Station Bara Hindu Rao.

4. It is submitted that the Applicant was arrested on 30.04.2022 on the basis of a disclosure statement of the co-accused, though there was neither reference of the Applicant given by the Complainant in his Complaint nor



there is any conclusive evidence collected by the Investigating Officer during investigations against the Applicant. No recovery has been affected from the Applicant and that he has been implicated falsely in this case.

5. He is living peacefully with his family members since last many years and is trying to move away from his past life but the Police has falsely implicated in this case. The case of the prosecution is not supported by the Complainant. The CCTV footage from the place of crime has not been secured by the Investigating Officer. The area where the incident happened is a busy market and there are many CCTV cameras installed therein including private, as well as, the Government cameras. No reasons have been given for not collecting the CCTV footage. Had it been done, the robbers would have been correctly identified. No statement of independent witnesses, have been recorded. The description of the Accused persons given by the Complainant in his Complaint, was general with no specific identification marks. The Applicant is a sole bread earner of the family. Hence, the Bail is sought.

6. **Status Report** had been filed before the learned ASJ wherein the details of the investigations carried out in the FIR and the details of Charge-Sheet have been mentioned.

7. **Learned Prosecutor** opposes the Bail Application on the ground that the offence involved is heinous and the Applicant has a past history of multiple criminal cases and he is a habitual offender. Furthermore, the Complainant had identified the Applicant as one of the assailants in the TIP conducted at Tihar Jail.

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

9. The Complainant, Mr. Sapan, son of Mr. Sunil Kumar, had given a



Complaint on 18.04.2022 at about 03:00 p.m. stating therein that he along with his friend, Mr. Rajeev Gautam @ Raju, was travelling on a scooter with the cash of Rs.25,00,000/-. As they were coming out of Kucha Baijnath at about 03:50 p.m, suddenly, four persons on two Scooties surrounded him and made him stop his Scooter. Then, one of the said Accused pulled out a pistol like weapon and exhorted him to hand over the Scooty. He and his friend, Mr. Rajeev Gautam got scared and left the Scooty on the spot, which was taken away along with the cash of Rs.25,00,000/- lying therein.

10. On his Complaint, FIR was registered and the investigations were carried out. Eventually, the five Accused allegedly involved in the commission of the offence, were arrested. A gold chain and one Scooty allegedly purchased from the looted amount, was recovered from Mr. Ganesh Kumar, the co-Accused.

11. Statement of the Complainant has been recorded before the learned Trial Court. The Accused is in judicial custody since 30.04.2022. There are 22 prosecution witnesses out of which only 05 had been recorded till date.

12. Considering the totality of the circumstances and also that the trial may take long time to conclude the proceedings, the Accused is granted Regular Bail, on the following terms and conditions:-

- a) The Applicant/Accused shall furnish a personal bond of Rs.35,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The Applicant/Accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The Applicant/Accused shall provide his mobile number/changed mobile number to the IO concerned which shall be



kept in working condition at all times;

d) The Applicant /Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.

e) In case the Applicant /Accused changes his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

13. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court.

14. The Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

APRIL 22, 2025/RS