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

+ **BAIL APPLN. 1695/2025**

ARSHAD SAIFI

.....Applicant

Through: Mr. Ashutosh Kaushik,
Adv. (DHCLSC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP
for the State with SI
Akashdeep, PS- Sadar
Bazar and SI Raju Singh,
PS- Roop Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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09.07.2025

1. The applicant seeks regular bail in FIR No. 109/2023 dated 16.02.2023, registered at Police Station Roop Nagar, for offence under Section 380 of the Indian Penal Code, 1860 ('IPC').
2. The FIR was registered pursuant to the statement of Abhishek Grover/complainant, who stated that on 16.02.2023 he left his house and his mother was also out of the house. It is alleged that his servant had called his mother and informed that a theft had been committed in the house. On being informed regarding the same, the complainant called the Police, whereafter, the applicant was arrested on 22.02.2023 during investigation and cash amounting to ₹6,00,000/- as well as jewellery articles were recovered at his instance.
3. During the course of investigation, the police interrogated the servant, who informed about the alleged theft. He stated that on 16.02.2023 at about 1 pm, the door bell rang and a person had

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come to deliver a courier. Thereafter, the courier boy gave a paper to him for signing and while he was signing, another boy came and allegedly put a pistol on his neck. Thereafter both of them allegedly tied his hands with a rope and started beating him.

4. It is further alleged that thereafter they committed robbery in the house and took away cash and jewellery items. Pursuant to which the present FIR was registered under Sections 380 of the IPC.

5. During the course of investigation, CCTV footage was examined and on analysing the same it was found that one accused person was heading towards Meerut. Police also obtained CDR of the maid, namely, Madhu.

6. CDR revealed that the maid had also gone towards Meerut on the date of the alleged incident. Further investigation led to arrest of one person, namely Akib, who was allegedly staying with the maid. On being interrogated he disclosed that he had committed the alleged crime along with the applicant.

7. Learned counsel for the applicant submits that the applicant was not seen in the CCTV footage and has been falsely implicated in the present case. He further submits that the applicant was arrested from his house at Meerut. He lastly contends that only one witness has been examined till date out of the 27 cited by the prosecution and that the trial is going to take long time to conclude.

8. On the other hand, learned APP for the State opposes the grant of bail to the applicant. Status report filed on record indicates that some robbed items were recovered at the instance of the applicant.

9. Statement of the eye witness was also recorded, who



narrated the incident and also identified the applicant to be the same person who came as a courier boy.

10. Learned APP for the State, on instructions, also states that even in the CCTV footage, the applicant can be identified as some part of his body was visible.

11. She further submits that the charges have been framed under Sections 392/397/411/120B of the IPC and Section 27 of the Arms Act.

12. The allegations against the applicant are grave. He along with the co-accused has been charged for committing daylight robbery with the use of firearm. The robbed articles have also been recovered from him. Thus, even though the applicant has suffered a long period of incarceration, considering the fact that the offence is heinous and attracts maximum punishment of 10 years, if convicted, the applicant, in the opinion of this Court, is not entitled to be released on bail at this stage. Further, the prime witnesses including the family members, on whose house the alleged robbery had been committed, are yet to be examined.

13. The material collected during investigation at this stage does not indicate false implication of the applicant.

14. In view of the aforesaid discussion, this Court does not deem fit to enlarge the applicant on bail.

15. The present application is therefore dismissed.

AMIT MAHAJAN, J

JULY 9, 2025
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