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

+ **BAIL APPLN. 1978/2025**

PUNEET ALIAS PUNEETA

.....Petitioner

Through: Mr. Loveleen Kaitwas and Mr.
Manish Kumar Vikkey, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State
with ASI Mukesh Kumar, PS Kalindi
Kunj.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER
29.08.2025

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1. The applicant, having remained under incarceration since 24.12.2024, seeks indulgence of this Court for grant of bail during pendency of the trial in the criminal proceedings arising out of FIR No. 476/2024 dated 04.05.2022 for alleged offences under Sections 309(4) (robbery), 311 (robbery or dacoity), 3 (5) of BNS, registered at PS Kalindi Kunj, Delhi.

2. Per the FIR, the prosecution's case is that on 11.11.2024, complainant Gaurav Kumar, Advocate, was sitting in his car, when a group of boys forcibly pulled him out, assaulted him, and robbed his Nokia mobile phone and ₹7,500. When Madhu Yadav, an acquaintance of the complainant, and others protested, they were also assaulted and threatened.

2.1 The complainant called 112, after which police arrived, recorded his



statement, and registered FIR No. 476/2024 under Sections 309(4)/311/3(5) BNS. Madhu Yadav identified the accused persons. Applicant is alleged to be one of the 4 accused persons in the FIR.

3. In the aforesaid backdrop, I have heard the parties and perused the case file.

4. The learned counsel for the applicant would submit that the applicant has been falsely implicated in the present case which has been fabricated by the police. He has already spent sufficient time in custody. Moreover, all recovery and interrogation is complete, and continued detention serves no purpose. He would place reliance on the settled principle that bail is the rule and jail, an exception.

4.1 Learned counsel would submit that the investigation is complete, charge sheet and supplementary charge sheets have been filed. Hence, no custodial interrogation is required. He would also submit that the applicant was not called for investigation earlier, was falsely implicated by police officials, and has been in judicial custody since 24.12.2024.

4.2 He would also contend that the applicant is a poor, law-abiding citizen from a respectable family having his permanent residence in Delhi. He is the sole bread earner of his family with clean antecedents and deep roots in society. Hence, there is no question of him fleeing from justice or absconding. He would further contend that the trial would take a long time and it would not serve any fruitful purpose if he is put behind the bar.

4.3 He would further submit that granting or denying bail is within the discretion of the court. However, the same must be evaluated based on the facts and circumstances of the case like the seriousness of the offense, evidence, and the risk of the accused fleeing or tampering with witnesses.



The presumption of innocence is a fundamental human right. Counsel would also submit that bail enables an accused person to better prepare for their case, while detention should not serve as a punishment.

5. Learned APP for the state opposes the bail plea. She submits that, as per the status report dated 02.08.2025, the applicant was correctly identified by the complainant during the TIP proceedings.

5.1 She further contends that if released on bail, there is every likelihood that he may abscond, threaten or influence witnesses, commit further offences. Hence, his custody is necessary to ensure his presence before the Trial Court.

5.2 She also submits that applicant had previously moved an application for grant of bail before the learned ASJ, Saket Courts. However, the same was dismissed vide order dated 16.04.2025 on the grounds of gravity of the offence and the role attributed to the applicant.

6. Having heard, it appears to be a fit case for bail. Let us see how.

7. The investigation of the case has been completed by the Investigating Officer and charge sheet has already been filed. Applicant is thus not required for any custodial investigation.

8. The applicant has been in judicial custody for over 8 months. It transpires that the applicant is deeply rooted in the society having permanent residence in Delhi. Moreover, the nominal roll dated 25.07.2025 reports no criminal antecedents other than one FIR No. 236/2023 in which he is on bail. In this premise, I do not see him as a flight risk or otherwise absconding from the trial.

9. The prosecution has already seized all relevant evidence qua applicant herein, making the possibility of evidence tampering highly remote.



10. The applicant is a 22-year-old in the prime of his youth belonging to modest background. Continued incarceration would thus serve no useful purpose and would jeopardize his career prospects for the rest of his life, especially, when the trial is not likely to conclude in the near future.

11. As an upshot and taking a wholesome view of the matter, the applicant is directed to be released on bail on his furnishing personal bond with solvent surety of like amount to the satisfaction of the Trial Court/Duty Judge concerned as the case may be, subject to the other usual conditions to be imposed by the learned Trial Court/Duty Court.

12. Any observation made herein above is only for the purpose of disposing of the instant bail application and not to be construed, in any manner, as any expression on the merits of the pending case and the trial shall proceed without being influenced either way by the same.

13. Accordingly, the bail application stands disposed of.

ARUN MONGA, J

AUGUST 29, 2025/rs/nk