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

+ **BAIL APPLN. 2649/2025**

**ABHINANDAN**

.....Petitioner

Through: Ms. Alamine, Adv.

Versus

**THE STATE GOVT. OF NCT OF DELHI**

.....Respondent

Through: Mr. Hitesh Vali, APP for the State  
along with SI Rajesh Kumar.

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

**09.09.2025**

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1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing No.31/2025, registered at Police Station Mukherjee Nagar, Delhi for the commission of offences punishable under Sections 305(a)/331(4)/3(5)/317(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').

2. Briefly stated, the facts of the present case are that on 12.01.2025, a PCR call vide DD No. 60A was received at Police Station Mukherjee Nagar regarding breaking of locks and theft at the property of the complainant. The concerned Investigating Officer (IO) had visited the spot pursuant to receipt of said call. It is stated that the list of stolen articles was provided by the complainant in writing to the IO on 13.01.2025, wherein it was alleged



that about Rs.35 lakhs were stolen from his house. During investigation, all the seven accused persons, including the present applicant were arrested. Upon completion of investigation, chargesheet was filed before the concerned Court and the case is presently at the stage of framing of charge.

3. The learned APP for the State argues that the allegations against the applicant are serious in nature and the recovery of about Rs.17 lakhs is yet to be effected from all the accused persons, including the present applicant. It is further argued that the applicant is involved in nine other criminal cases, including cases of burglary, theft and cases under Arms Act. It is therefore submitted that the present bail application be dismissed.

4. The learned counsel appearing on behalf of the applicant, on the other hand, states that the applicant has been falsely implicated in the present case, who is in judicial custody for the last about eight months. It is also submitted that only a cash of Rs.10,000/-, out of alleged looted amount of Rs.35 lakhs, was recovered from the applicant and his custodial interrogation is not required. It is also submitted that there is no other incriminating evidence against the present applicant to connect him with the offence in question. It is thus prayed that the applicant be granted regular bail.

5. This Court has **heard** arguments addressed on behalf of the applicant and the State, and has perused the material available on record.

6. Having gone through the records of the case, this Court takes notes of the fact that only a recovery of Rs.10,000/- has been effected from the applicant and that too in cash. It is not clear whether the cash belongs to the applicant or to the complainant. This Court further takes note of the fact that two more co-accused persons have already been granted regular bail. Insofar as the previous involvements of the present applicant are concerned, the said



cases pertain to the years 2007, 2009 and 2012, and one case under Arms Act is of the year 2023 as informed by learned APP for the State on instructions. The applicant has remained in judicial custody for more than seven months, and needless to state, the trial is likely to take some more time to conclude.

7. Thus, considering the overall facts and circumstances of the case, the role attributed to the present applicant, and the period of custody undergone by the applicant, this Court is inclined to grant regular bail to the applicant, on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned, on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the Trial Court and if the applicant has a passport, he shall surrender the same to the concerned Court.
- ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the learned Trial Court and IO/SHO concerned.
- iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.
- iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

8. Accordingly, the present bail application stands allowed and is disposed of.

9. It is, however, clarified that nothing expressed hereinabove shall



tantamount to an expression of opinion on merits of the case.

10. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**SEPTEMBER 09, 2025/A**