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

+ **BAIL APPLN. 2921/2025**

MANISH GEHLOT ALIAS BROPetitioner

Through: **Mr. Gaurav Kumar, Advocate**

versus

STATE OF NCT OF DELHIRespondent

Through: **Mr. Utkarsh, APP for the State with
SI Sandeep Kumar**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **25.09.2025**

1. Second Bail Application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed on behalf of the Applicant Mansih Gehlot @ Bro for grant of Regular Bail in FIR No. 1325/2021.
2. It is submitted that as per the case of Prosecution, while the Complainant was waiting near Anand Vihar Terminal Bus Stand to take a bus for Unnao on 04.11.2021 at 3:00 AM. He could not get the bus and decided to go back to Saket, Delhi and was waiting near EDM Mall. After some time, a black Swift car bearing registration No. UP-14 BM 4454 stopped near the Complainant and enquired where he wanted to go. The driver of the car, who was about 25-26 years old, had two other people in the car. They told the Complainant that they were all going to Saket and would charge Rs.50 to drop the Complainant. Accordingly, the Complainant got into the back seat of the car, but after driving for a little distance, the two boys sitting in the back seat of the car, threatened the Complainant on



gunpoint and snatched Rs.6000 from his wallet, two ICICI bank Debit Cards and one Samsung M-31 mobile phone.

3. The Accused persons coerced the Complainant to disclose the password of the phone and thereafter, dropped him near OBC House, Delhi. On the next date, the Complainant found out that Rs.24,619/- withdrawn from his account. The Complainant informed about the incident to his friends and family members, and on their advice, filed the Complaint after 50 days, on which the present FIR No.1325/2021 was registered against unknown persons.

4. It is submitted on behalf of the Applicant that there is no explanation for the inordinate delay of 50 days in registration of the FIR. The name of the Applicant surfaced in the disclosure statement of the main Accused Rahul Gupta @ Ganja during the investigation. The Applicant was apprehended on 31.12.2021 wherein he allegedly made a disclosure statement.

5. The statement of the Complainant was recorded on 29.01.2022. He reiterated the previous Complaints, on which the FIR was registered. The IO completed the investigations and filed the Chargesheet before the Court. 11 Prosecution witnesses have been cited by the Prosecution.

6. It is submitted that the charges were framed under Sections 397/34 IPC and Section 27 Arms Act against all the Accused persons. The Victim has already been examined as PW1. The other material witness, PW3 Rohit Kumar has also been summoned.

7. It is further explained that similar FIRs under Sections 392/397/34 IPC has been registered against him, but in the latest FIR NO. 1297/2021, he has already been admitted to Bail.



8. ***The grounds on which the Bail*** is sought is that he has been falsely implicated in this case. No recovery has been effected from the Applicant. There has been a significant delay of 50 days in registration of the FIR. He is in judicial custody since 14.01.2022, i.e., for more than 3.5 years. There are material contradictions in the testimony of the PW1/Complainant. The applicant is entitled to curtailment of liberty only by following due process. He is entitled to a speedy trial under Article 21 of the Constitution of India. Reliance is placed on Union of India v. K. A. Najeeb (2021) 3 SCC 713.

9. It is further submitted that only 04 witnesses out of the 11 Prosecution witnesses, have been examined. 07 witnesses are still remaining and the trial is going to take a long time. The delay becomes a material fact for grant of bail, as has been held in the case of Sheikh Javed Iqbal @ Ashfaq Ansari v. State of UP, Criminal Appeal No. 2790/2024. Reliance is also placed on Satender Kumar Antil v. CBI (2022) 10 SCC 51.

10. It is submitted that no fruitful purpose would be served in keeping him in judicial custody. He is a permanent residence at the address given above. He is 26 years old and has to support his family, apart from his elder brother. He undertakes to abide by any terms and condition. A prayer is made that the Bail be granted.

11. ***The Status Report*** has been filed on behalf of the State and the same is taken on record, which gives details of the entire investigation. It is submitted that during the course of investigation, ATM card belonging to the Complainant and the Swift car used in the commission of the crime, were recovered from the Accused person arrested in FIR No. 0507/2021 under Sections 392/397/411/34 IPC. Those persons are also co-accused in the present FIR.



12. The ATM Debit Card of ICICI was recovered from the possession of co-accused Rahul and Arun. A toy pistol was also recovered from Rahul. A country-made pistol with two live cartridges was recovered from Arun and another toy pistol was recovered from co-accused Vipul.

13. It is submitted that Rahul and Arun had refused to participate in the TIP proceedings, while Manish Gehlot/Applicant was identified during the TIP proceedings.

14. The ***Bail Application is opposed*** on the ground that the offence committed is serious. There is a possibility that he may threaten the witnesses or hamper the trial. The Applicant alongwith the co-accused has committed spat of robbery in a short span of time and robbed gullible victims from near ISBT Anand Vihar in the similar *modus operandi*.

15. It is prayed that the Bail Application be rejected.

Submissions heard and record perused.

16. The Applicant is in judicial custody since 14.01.2022. The statements of the complainant and other public witnesses have already been recorded. Out of 11 witnesses, only 04 have been recorded and it will take some time to record the statements of the remaining witnesses. In the circumstances, the detention of the Applicant would amount to pre-trial conviction.

17. Considering the totality of the circumstances, 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.
18. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court for information and compliance.
19. The Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 25, 2025

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