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

+ **BAIL APPLN. 3537/2025, CRL.M.A. 27724/2025**

RAVINDER

.....Petitioner

Through: Ms. Pallavi Garg, Advocate
DHCLSC, Ms. Sanjana Sharma Sahu,
Advocate.

versus

THE STATE GOVT. NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.12.2025

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1. Second Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking Regular Bail in case FIR No.303/2024 under Section 392/397/411/451/34 IPC & Section 25/27/59 Arms Act registered at Police Station Burari, Delhi.
2. It is submitted that as per the case of the Prosecution, a PCR call was received on 09.05.2024 which was recorded vide DD No.130A at 20:43:10 Hrs at Police Station Burari, regarding snatching of 3 Mobile Phone and a sum of around Rs.1,00,000/- at gun point on the head of the caller and his friend. The investigations were undertaken by ASI Rohitash along with HC Ravinder. They met the Complainant Tahir Hussain who gave his statement about having been robbed at gun point on which FIR No.303/2024 was recorded.
3. It is submitted that during the investigations, CCTV footage was procured and analyzed and two persons on a bike from Nathupura side were seen coming and waiting outside the shop of the Complainant. After



sustained efforts, the Applicant as well as the co-accused Mandeep were traced to another robbery executed by them with the same modus operandi in the same locality, for which **FIR No.465/2024** under **Section 392/397/34 IPC and Section 25/27 Arms Act**, was registered. In the investigations in the said case, the motorcycle used was seized which was found to be stolen property.

4. The TIP of the Applicant and the co-accused was conducted by the learned JMFC on 31.07.2024, wherein the Applicant refused to participate, but the TIP was still conducted.

5. It is submitted that the Chargesheet already stands filed in the Court. The Charges have been framed. There are 15 Prosecution witnesses relied upon by the Prosecution, and only one witness has been recorded till date.

6. The Bail is sought **on the ground** that while rejecting the Bail of the Applicant vide Order dated 19.04.2025, learned ASJ has failed to consider the facts of the present case. He has been implicated falsely in this case and the entire facts have been fabricated to make the case more complicated and to intentionally prove wrong things right. The investigations have not been conducted fairly by the I.O. The Applicant is no longer required for custodial interrogation, since, the investigations already stands concluded. The Applicant is in Judicial Custody since 10.03.2025.

7. Reliance is placed on Sharad Birdichand Sarda vs. State of Maharashtra (1984) 4 SCC 116; Noor Aga vs. State of Punjab (2008) 16 SCC 417 and Chunthuram vs. State of Chhattisgarh (2020) 10 SCC 733; Mukesh Singh vs. NCT Delhi 2023 SCC OnLine SC 1061; Kalicharan vs. State NCT of Delhi 2015 (2) JCC 1304.

8. It is further submitted that there are three other FIRs of similar nature



of the year 2024 which have been registered against the Applicant, but it has not been appreciated by the learned ASJ that these are all false cases in which the Applicant has been implicated on the basis of presumption of his guilt.

9. Further reliance is placed on State of UP & Ors. vs. Prabhakar Tiwari CrI. Appeal No.152/2020; Kehar Singh vs. State (Delhi Admn.); Gulam Mohammad A. Malek vs. State of Gujarat; Sonu vs. State (Govt. of NCT), Delhi CrI.A. No.633/2020 decided on 06.09.2021; Rai Sandeep @ Deepu vs. State (2012) 8 SCC 21; Ashok Narang vs. State CrI. Appeal No.932/2009; State of Rajasthan vs. Kanshi Ram, 2006 (12) SCC 254; Arvind @ Chottu vs. State ILR (2009) Supp. (Delhi) 704; Ashok vs. State of Maharashtra (2015) 4 SCC 393; Ashish vs. State of NCT of Delhi CrI. Appeal No.15/2006 decided on 16.02.2012; Prabir Purkayastha vs. State (NCT of Delhi) CrI. Appeal No.2577/2024 decided on 15.05.2024; Vihaan Kumar vs. State of Haryana & Anr.; Dataram Singh vs. State of Uttar Pradesh & Anr. CrI. Appeal No.227/2018 decided on 06.02.2018; R.D. Upadhyay vs. State of Andhra Pradesh W.P(C) No.559/1994 decided on 13.11.2014; Union of India vs. K.A. Najeeb (2021) 3 SCC 713; Re-Inhuman Conditions in 1382 Prisons in W.P (Civil) Nos(s).406/2013 decided on 24.04.2015; Babu Singh and Ors. vs. State of UP AIR 1978 SC 527.

10. A prayer is, therefore, made that the Applicant be granted Bail.

11. The **Status Report** has been filed today, which be taken on record. It is submitted that in the Chargesheet, the following incriminating evidence was found against the Applicant:

(i) he actively participated in the commission of offence, as per the available CCTV footage;



- (ii) he has been identified during TIP proceedings; and
- (ii) the statements of the witnesses/victims substantiates the involvement of the Applicant in the present offence.

12. The **Bail is strongly opposed on the ground** that the offence committed is heinous in nature. There is likelihood that he may flee from the trial, if granted Bail. He may tamper with the evidence and influence the Prosecution witnesses. The Bail is, therefore, opposed.

Submissions heard and record perused.

13. Essentially, the allegations against the Applicant are of having committed robbery at gun point. The Chargesheet already stands filed. The statement of the Complainant has already been recorded, though, the statement of the eye-witness to corroborate the testimony of the Complainant is yet to be recorded. Out of the fifteen Prosecution witnesses, only three have been recorded till date, as per the learned APP for State.

14. Considering the totality of circumstances and that no custodial interrogation of the Applicant is required as the investigations are complete and that the victim has already been recorded, the Applicant is granted Regular Bail, on the following terms and conditions:

- a) The petitioner/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 petitioner/accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The petitioner/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 petitioner/accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
- e) In case the petitioner/accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.
15. The copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court.
16. The above Bail Application is accordingly disposed of along with the pending Application.

NEENA BANSAL KRISHNA, J
DECEMBER 3, 2025/va