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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4156/2025 & CRL.M.A. 32303/2025 EXEMPTION**
FROM FILING STATUS REPORT
SUNILPetitioner

Through: Mr. Vivek Jaiswal, Adv.

versus

STATE NCT OF DELHIRespondent
Through: Mr. Aashneet Singh, APP with SI
Satyander, ASI Surender, PS SP
Badli.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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11.12.2025

BAIL APPLN. 4156/2025

1. This is an application filed on behalf of the applicant for the grant of anticipatory bail in case FIR no. 910/2025, under Sections 304(2)/3(5) BNS, PS Samaipur Badli.
2. The Ld. Counsel who appears for the applicant submits that the applicant has been falsely implicated in the present case. He was not even present at the place of occurrence at the time of the incident as would be visible from the mobile tower location. He further submits that the other co-accused persons have since been granted bail and therefore, on the ground of parity he is also entitled for the anticipatory bail.
3. Ld. APP has opposed the bail application submitting that the snatched mobile phone was recovered from the house of the present applicant and applicant has been involved in 8 more criminal cases and therefore, considering his antecedents, he should not be granted benefit of anticipatory bail.



4. As per allegations, on 14.09.2025, while the complainant was returning home, three unknown persons came on a white scooty and snatched her mobile phone. The mobile phone contained her Aadhar Card and Rs. 6,000/- cash in the back cover of her phone. With the help of her neighbors, the complainant chased them on bike and succeeded in apprehending two such persons and thereafter it was discovered that the third boy who ran away took the phone. The phone was later recovered from the residence of the present applicant.

5. As per the status report, despite serving notice under Section 35(3) BNSS, applicant has not joined the investigation. Applicant is stated to be the owner of the scooty used in the commission of the offence. As per Previous Conviction/Involvement Report attached with status report, he is involved in 8 more criminal cases.

6. The onus to prove the alibi is on the applicant and would be considered only during the trial.

7. Admittedly, the other two accused persons have been granted bail but they were granted regular bail and moreover, the snatched phone has been recovered from the house of the present applicant and therefore, the applicant cannot seek parity in the matter of grant of anticipatory bail.

8. Hence, considering the entire facts and circumstances and the nature and gravity of the allegations, the Court is not inclined to grant pre-arrest bail to the applicant.

9. The application is therefore dismissed along with pending applications, if any.

RAVINDER DUDEJA, J

DECEMBER 11, 2025/lks/na