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

+ **BAIL APPLN. 4465/2025 & CRL.M.A. 34574/2025**

MUSTAKEEM@BHURA

.....Petitioner

Through: Mr. Bipin Kumar Jha, Adv.

versus

STATE GOVT. OF NCT DELHI

.....Respondent

Through: Mr. Raghuinder Verma, APP for State
with Mr. Aditya Vikram Singh, Adv.
SI Shiv Dayal Kumar, PS Dayal Pur

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

18.12.2025

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1. By way of the present petition, the petitioner seeks anticipatory bail in case FIR No. 362/2025, registered at PS Dayal Pur, for the offences punishable under Sections 310(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25/27 of the Arms Act, 1959.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the said FIR. It is urged that the petitioner is not named in the FIR, no specific role has been attributed to him, and his alleged involvement is based solely on disclosure statements of co-accused, which have no independent evidentiary value. No test Identification Parade has been conducted, nor has any recovery been effected from the petitioner connecting him with the alleged robbery.
3. It is further contended that the petitioner is being targeted only on account of his past antecedents, despite the fact that he stands acquitted or



discharged in the majority of earlier cases and has already undergone sentence in the remaining two. It is submitted that the petitioner undertakes to cooperate with the investigation.

4. On the other hand, Mr. Ragguinder Verma, learned APP for the State, submits that he has been declared bad character of the area and the investigating agency has an apprehension that, if granted anticipatory bail, the petitioner may evade the process of law, influence or intimidate witnesses, and hamper the ongoing investigation.

5. Heard both the parties.

6. The status report placed before this Court indicates that the petitioner was present at the spot at the relevant time and his presence has been captured in the CCTV footage collected during investigation. The said material, *prima facie*, establishes the petitioner's proximity to the crime and furnishes reasonable grounds for the Investigating Agency to interrogate him.

7. The absence of recovery or Test Identification Parade, at this stage, cannot enure to the benefit of the petitioner, particularly when the investigation is at a nascent stage and is still underway.

8. The petitioner's past criminal antecedents, as reflected from the record, also cannot be ignored. His categorization as a bad character of the area, as per police records, lends credence to the apprehension expressed by the prosecution. In such circumstances, the possibility of the petitioner evading the process of law or influencing witnesses cannot be ruled out if he is granted the discretionary relief of anticipatory bail.

9. In view of the aforesaid facts and circumstances, this Court finds no ground to exercise discretion in favour of the petitioner. Accordingly, the



present petition along with pending application(s), if any, is dismissed.

AJAY DIGPAUL, J

DECEMBER 18, 2025/ar/dd