



\$~4

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

+ **BAIL APPLN. 24/2026**

MOHD. IQBAL

.....Petitioner

Through: Mr. Rahul Maurya and Ms. Anshita
Phutela, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

16.04.2026

%

1. By way of the present application, the applicant is seeking a grant of regular bail in a case arising out of FIR bearing no. 375/2025, registered at Police Station Welcome, Delhi, for the commission of offense punishable under Sections 310(2)/311/317(3)/95/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').

2. The present case arises out of an incident dated 17.07.2025 involving the commission of robbery at the residence of the complainant, Hamza. It is alleged that on the said date, at about 4:00 PM, co-accused Shabnam gained entry into the complainant's house under the pretext of prior acquaintance and, in furtherance of the common intention of all the accused persons, facilitated the ingress of other co-accused. Thereafter, co-accused persons Fazal and Junaid, allegedly entered the premises armed with knives and committed robbery. It is further alleged that the present applicant, Md. Iqbal,



along with co-accused Naved, remained stationed outside the premises to keep a watch and to facilitate the commission of the offence. Upon completion of the alleged offence, all the accused persons, including the present applicant Md. Iqbal fled from the spot on two scooters, which were subsequently identified through CCTV footage. On the basis of the investigation, a chargesheet has been filed against the accused persons, including the present applicant for offences punishable under the relevant provisions.

3. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case. It is contended that no recovery has been effected from the applicant. It is further submitted that co-accused Shabnam has already been granted bail. Further, it is also argued that no incriminating material, such as CDR, has been brought on record against the applicant. Additionally, it is submitted that the FSL report with respect to the CCTV footage has not yet been received. In view of the aforesaid submissions, it is prayed that the applicant be enlarged on regular bail.

4. The learned APP for the State, on the other hand, opposes the present application and submits that the entire incident stands captured in the CCTV footage, wherein the present applicant is seen riding the scooter on which the co-accused persons arrived at the spot. It is further submitted that prior to the date of the incident, the applicant was also seen conducting reconnaissance of the place where the alleged offence was committed. It is further argued that the complainant has not yet been examined before the learned Trial Court, and in the event the applicant is released on bail, there exists a likelihood of the applicant influencing or intimidating the



complainant. In view of the aforesaid submissions, it is prayed that the present application seeking grant of regular bail be dismissed.

5. This Court has **heard** arguments addressed on behalf of the learned counsel appearing for the applicant as well as the learned APP for the State and has perused the material available on record.

6. The allegations against the applicant are that he, in furtherance of a criminal conspiracy and in concert with the co-accused persons, planned and facilitated the commission of the alleged robbery. The role attributed to the present applicant is that, on the day preceding the incident, he conducted reconnaissance of the place of occurrence, and on the following day, when the co-accused persons entered the complainant's residence, the applicant remained stationed outside the premises to keep watch and to facilitate the execution of the offence.

7. This Court further notes that the applicant along with co-accused Fazal and Junaid used scooter bearing registration number DL-5-SCJ-9923 to conduct reconnaissance of the complainant's residence which is reflected in the CCTV footage.

8. This Court notes that the complainant in the present case has yet to be examined before the learned Trial Court, and in the event if the applicant is enlarged on bail, there exists a likelihood of the applicant influencing the complainant.

9. It is one of the contentions of the applicant that co-accused Shabnam has been granted bail *vide* order dated 29.09.2025 by the learned Trial Court. However, it is noted that the said co-accused was granted bail solely on the ground of being a woman and not on the merits of the case. Accordingly, no parity can be claimed by the present applicant on that basis.



10. Considering the overall facts and circumstances of the present case, particularly the fact that the applicant is seen in the CCTV footage and that the complainant has yet to be examined before the learned Trial Court, this Court is not inclined to grant regular bail to the applicant.
11. Accordingly, the present application stands dismissed.
12. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.
13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

**APRIL 16, 2026/zp
RB**