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

+ **BAIL APPLN. 135/2026**

VINKAL GIRISH SHAH

.....Petitioner

Through: Ms. Shikha Walia, Advocate

versus

STATE THROUGH SHO PS KOTWALI

.....Respondent

Through: Mr. Manoj Pant, APP for the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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18.03.2026

1. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 295/2025, registered at Police Station Kotwali, Delhi for the commission of offence punishable under Sections 318(4)/316(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').

2. Briefly stated, the present case arises out of a complaint lodged by Sh. Sarthak Bansal, proprietor of Sarthak Jewells, Karol Bagh, Delhi. It is alleged that on 26.03.2025, one Kabir Shah, an employee of the complainant, received a WhatsApp call from a person identifying himself as 'Mahesh', claiming to be the owner of Balaji Jewellers, Dariba Kalan, Chandni Chowk, and expressing interest in purchasing jewellery in bulk with assurance of prompt payment. On the same day, at about 4:40 PM, an individual visited the complainant's shop on behalf of the said Mahesh,



selected jewellery weighing about 280 grams, and, as per telephonic instructions, exchanged 150 grams of gold metal for 150 grams of jewellery ornaments, which were handed over by the complainant. It is further alleged that on 27.03.2025, the same individual again visited the shop and requested the complainant's father to send 1–1.5 kg of jewellery to Dariba Kalan for an upcoming party, handing over ₹4,00,000 in cash. On 28.03.2025, the complainant sent three employees, namely Ankush, Ravi, and Kabir @ Rajesh, along with jewellery weighing about 2.5 kg to the said shop. At the premises, two persons, including the same individual who had earlier visited the complainant's shop, were present. On the pretext of showing the jewellery to a prospective buyer behind a partition, the accused persons allegedly took the ornaments to the other side, prevented the employees from entering, and thereafter, one of the accused snatched the bag of jewellery from Kabir @ Rajesh and pushed him aside, while others threw chairs at the remaining employees. The accused persons then fled from the spot after locking the shop. Upon raising the alarm, a passerby opened the door. On the basis of these allegations, the present FIR was registered under Sections 318(4)/316(2)/3(5) of the BNS, and subsequently, Section 309(4) of BNS was also invoked.

3. As per the status report, during investigation, CCTV footage from near the place of incident revealed three persons, including one who had earlier visited the complainant's shop, carrying a bag outside the premises. The owner of the shop disclosed that the premises had been rented to one Mangukiya Mahesh Kumar Khimjibhai, a resident of Bhavnagar, Gujarat. Further analysis of CCTV footage and scrutiny of the register of Hotel Suzi International, Paharganj, where the accused persons had stayed, led to the



identification of one of the accused present at the shop as Iftekhhar Azam @ Bablu. Further, as per the status report, search operations were conducted at the addresses of the accused persons in Gujarat and Bihar, but they could not be apprehended. Subsequently, accused Iftekhhar Azam @ Bablu was arrested from Mumbai on 25.04.2025. During interrogation, he disclosed that he, along with co-accused Mahesh and Vishnu, had taken the shop on rent at Dariba Kalan under the name of Balaji Jewellers. It is alleged that Mahesh had visited the complainant's shop on 26.03.2025 and 27.03.2025 to place orders and lure the complainant into sending jewellery on 28.03.2025. He further disclosed that the offence was committed in pursuance of a pre-planned conspiracy involving co-accused Mahesh, Vishnu, Gulshan, Pappu Praveen Jain, and the present applicant Vinkal Girish Shah. It is alleged that after commission of the offence, about 1 kg of gold ornaments was handed over to co-accused Pappu Praveen Jain and the present applicant, while the remaining 1.5 kg was handed over to co-accused Gulshan.

4. The learned counsel appearing for the applicant submits that pursuant to registration of the FIR, the applicant was arrested on 25.04.2025 from Mumbai, Maharashtra, and brought to Delhi without any prior notice. It is contended that the applicant has been falsely implicated in the present case and there is no material to establish his involvement in the alleged offence. It is argued that the applicant is not known to the complainant, his father, the employees, or any other person connected with the incident, nor is he acquainted with the persons named in the FIR. As regards recovery, it is argued that no recovery has been effected from the possession of the applicant, and the alleged recovery of about 450 grams of gold ornaments has only been shown to be effected at his instance, which, by itself, does not



establish his complicity in the commission of the offence. It is further submitted that the applicant has been in judicial custody for more than 11 months, and since the investigation stands concluded and the chargesheet has already been filed, no useful purpose would be served by his continued incarceration. It is, therefore, prayed that the applicant be released on bail.

5. *Per contra*, the learned APP for the State opposes the bail application and argues that the Call Detail Records (CDR) analysis clearly establishes that the present applicant, along with co-accused Iftekhhar Azam, was in continuous contact with other co-accused persons and was present in Delhi during the relevant period. It is further submitted that, at the instance of the applicant, recovery of part of the cheated jewellery has been effected. The learned APP also submits that several co-accused persons are still absconding and a substantial part of the case property remains to be recovered. It is further argued that the applicant has criminal antecedents and is involved in multiple cases of similar *modus operandi* across different States. In view of the seriousness of the allegations, the nature of evidence on record, and the role attributed to the applicant, it is submitted that no ground for grant of bail is made out.

6. This Court has **heard** arguments addressed by the learned counsel for the applicant and learned APP for the State, and has perused the material on record.

7. In the present case, the allegations against the accused persons are that, by creating a false front of running a jewellery shop under the name “Balaji Jewellers” at Dariba Kalan, Chandni Chowk, they had induced the complainant to part with a substantial quantity of jewellery. It is alleged that



on 28.03.2025, when the complainant's employees visited the said shop carrying jewellery weighing about 2.5 kg, the accused persons, acting in concert, deceitfully took possession of the ornaments on the pretext of showing them to a prospective buyer and thereafter snatched the bag of jewellery. It is further alleged that the accused persons used force against the employees by pushing them and throwing chairs, locked the shop, and fled from the spot with the jewellery.

8. This Court also notes that the bail application of the present applicant was earlier rejected by this Court *vide* order dated 03.09.2025, and there is no material change in circumstances warranting a different view at this stage. The record further reflects that the applicant has as many as seven previous involvements in cases of similar nature, i.e., offences relating to cheating, criminal breach of trust, etc., across different States. It is also noted that charges are yet to be framed and the prosecution witnesses are yet to be examined.

9. Considering the overall facts and circumstances of the case, the nature of allegations, and the *modus operandi* adopted by the applicant in conjunction with the co-accused persons, this Court is not inclined to grant regular bail to the applicant at this stage.

10. Accordingly, the present bail application is dismissed.

11. However, it is noted that despite the applicant being in judicial custody since 25.04.2025, charges have not yet been framed by the learned Trial Court. The learned Trial Court is, therefore, requested to ensure that charges in the present case are framed within a period of two months from the date of receipt of this order.



12. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 18, 2026/A

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