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

+ **BAIL APPLN. 199/2026**

YASH DESAI

.....Petitioner

Through: Mr. Mohd. Shariq, Mr. Deepak
Kohli, Mr. Ghufraan, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP.
SI Rahul Kumar, PS-Paschim
Vihar.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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17.03.2026

1. By way of the application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks regular bail in FIR No. 1893/2023, dated 17.01.2023, registered under Section 379 of the Indian Penal Code, 1860, lodged at e-Police Station, Paschim Vihar East, Outer District, New Delhi.
2. I have heard Mr. Mohd. Shariq, learned counsel for the petitioner, and Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor for the State.
3. The allegation in the FIR concerns theft of the complainant's vehicle on 17.01.2022.
4. The prosecution has placed on record a status report, in which it is stated that a co-accused by the name of Qais Diwan was arrested on 07.07.2023 and the stolen car was recovered from him. He disclosed that he deals in stolen cars and that the car in question had been sold to him by



another co-accused Abhijeet Keer. Co-accused Abhijeet Keer in turn disclosed the name of the present petitioner as the source of the stolen car. The petitioner herein was arrested in Chennai on 19.06.2025.

5. Mr. Shariq submits that the petitioner has already been in custody for a period of approximately nine months, as against the maximum sentence of three years for the offence in question. He submits that the chargesheet against the petitioner has been filed, but charges are yet to be framed.

6. Mr. Chauhan, on the other hand, submits that the petitioner is part of an organised inter-state stolen car syndicate and there are three other FIRs for similar offences pending against him. He also submits that one stolen car (which is not the subject matter of the present FIR) was recovered at the instance of the present petitioner and two other stolen cars were recovered from another person, who was named in the disclosure statement of the present petitioner.

7. As far as the petitioner's involvement in other offences is concerned, Mr. Shariq submits that charges against the petitioner have not been framed in any of the other FIRs and the petitioner has been released on bail in all those cases.

8. Having heard learned counsel for the parties, I am of the view that the petitioner is entitled to be released on bail in the present case. He has already been in custody for over a period of nine months, the maximum sentence for the offence in question being of three years. The *prima facie* material against the petitioner is based upon a disclosure statement of a co-accused. The stolen vehicle, which is the subject matter of the present FIR, was also recovered from another co-accused, and not from the



petitioner. Further, involvement in other criminal proceedings is not necessarily a ground for denial of bail, as held by the Supreme Court in *Prabhakar Tewari v. State of Uttar Pradesh and Anr.* [(2020) 11 SCC 648]. In the present case, it is the admitted position that, although the petitioner has been named in three other FIRs, charges have not been framed in any of those cases.

9. Having regard to the aforesaid factors, it is directed that the petitioner be released on bail in connection with FIR No. 1893/2023, dated 17.01.2023, lodged at e-Police Station, Paschim Vihar East, Outer District, New Delhi, subject to furnishing a personal bond in the sum of Rs.50,000/- with one local surety in the like amount, to the satisfaction of the Trial Court/Duty Magistrate, and subject to the following further conditions:

- A. The petitioner will attend the Trial Court on each and every date of hearing.
- B. The petitioner shall furnish his mobile number to the Investigating Officer and shall ensure that the said mobile phone remains operational and switched on at all times. The mobile number shall not be changed, nor shall the phone be switched off, without prior intimation to the Investigating Officer;
- C. The petitioner shall furnish his residential address to the Investigating Officer and shall not change the same without prior intimation to the Investigating Officer;
- D. The petitioner shall report to the police station having jurisdiction over his place of residence, once a week on every Monday at 04:00 PM.



E. The petitioner shall not commit any other offence during the period of bail.

10. The application stands disposed of in the above terms.

11. A copy of this order be communicated to the concerned Jail Superintendent for necessary information and compliance.

12. It is clarified that the observations made in the present order are solely for the purpose of adjudication of the present bail application, and shall neither be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

PRATEEK JALAN, J

MARCH 17, 2026

'Bhupi'/AD/