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

+ **BAIL APPLN. 387/2026**

RAJA @ SALAUDDIN @ RAJA BACCHAPetitioner

Through: Mr. Manish Kumar, Mr. Jitendra
Kumar Singh, Ms. Pooja and Mr.
Rahul Raghav, Advocates

versus

THE STATE OF NCT OF DELHIRespondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Satyapreet

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
05.05.2026

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No. 277/2025, registered at Police Station Kalindi Kunj, Delhi, for the commission of offence punishable under Sections 392/397 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 25 of Arms Act, 1959.

2. Briefly stated, the facts of the present case are that on 09.06.2022, the complainant, Mahesh Chand, made a statement alleging that on 08.06.2022 at about 11:15 PM, while he was reconciling accounts at his shop along with his employee, Hakimuddin, three unknown persons entered the premises. One of them, wearing a blue T-shirt, showed a pistol and demanded money. Another person, wearing a white shirt, caught hold of the complainant, while the person in the blue T-shirt slapped him and took the day's collection



amounting to ₹25,000/-. Thereafter, the assailants pulled down the shutter and fled from the spot.

3. During the course of the investigation, based on secret information, the applicant/accused, Raja @ Salauddin @ Raja Baccha, was arrested. A country-made pistol along with one live cartridge was recovered from his possession, and the motorcycle allegedly used in the commission of the offence, as well as ₹2,000/- were recovered at his instance. Upon completion of the investigation, charge sheet under Sections 392/397 of IPC and Sections 25/54/59 of Arms Act was filed. Subsequently, charges under Sections 452/392/ 397 of IPC and Sections 25/27 of Arms Act were framed against the accused.

4. The learned counsel appearing on behalf of the applicant argues that the applicant has been in judicial custody for more than eight months and that the trial is likely to take considerable time to conclude. It is further contended that during the Test Identification Parade (TIP), the complainant failed to identify the applicant. It is also argued that the eye-witness/complainant, Mahesh Chand, has turned hostile and has stated before the learned Trial Court that he is unable to say whether the applicant was present at the time of the alleged incident. In view of the aforesaid circumstances, it is prayed that the applicant be granted bail.

5. *Per contra*, the learned APP for the State submits that the offence is serious in nature and that the applicant is a habitual offender, having been previously involved in several other cases. It is further contended that the applicant failed to appear before the concerned Court on several dates of hearing, pursuant to which non-bailable warrants were issued against him, and he was subsequently arrested. It is apprehended that if released on bail,



the applicant may evade the process of law. Accordingly, it is prayed that the applicant be not enlarged on bail.

6. This Court has **heard** arguments addressed by the learned counsel appearing for the applicant as well as the learned APP for the State, and has gone through the material available on record.

7. This Court notes that although a Test Identification Parade (TIP) of the applicant was conducted, however, the complainant/eye-witness failed to identify the applicant. Further, it is also pertinent to note that the complainant/eye-witness has not supported the prosecution case during his examination before the learned Trial Court and has stated that he is unable to say whether the applicant was present at the time of the alleged incident.

8. It is also noted that the applicant has been in judicial custody for a period exceeding eight months, and the trial is likely to take considerable time to conclude.

9. Therefore, considering the overall facts and circumstances of the present case, particularly that the complainant/eye-witness has not identified the applicant and has turned hostile, this Court is inclined to grant regular bail to the applicant on his furnishing a personal bond in the sum of ₹10,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned, on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned Trial Court.
- ii) In case of change of residential address/contact details, the



applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.

- iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.
 - iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
10. Accordingly, the present bail application stands allowed and is disposed of.
11. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.
12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 05, 2026/ns
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