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

+ **BAIL APPLN. 457/2026**

GURDEEP SINGH

.....Applicant

Through: Mr. Varinder Kuamr Sharma and
Mr. Yugal Kishor, Advs.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi and Mr. Dinesh
Kumar, Advs. with SI Sangeeta,
PS.: Mukherjee Nagar.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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23.03.2026

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of regular bail in proceedings arising out of FIR No.1081/2024 dated 02.12.2024 registered under *Sections 305(a)/331(4)/209/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**) at PS: Mukherjee Nagar.

2. As per FIR, in the morning of 02.12.2024, the complainant, owner of a company dealing in flour mills and grocery items, found the locks of the main gate as well as all the doors, cupboards, etc. of his office broken, as well as *Rs.50 Lakhs* in cash to be missing therefrom. This resulted in registration of the present FIR. In a supplementary statement, the complainant identified total missing amount as *Rs.1.25 Crores*.

3. During investigation, three accused persons were identified, of whom the applicant herein is one. Co-accused Raghuveer was arrested on 15.12.2024 at whose instance roughly *Rs.37 Lakhs* in cash as well as a bike purchased from the stolen money were recovered, and he disclosed



that the applicant herein had received *Rs.40 Lakhs* out of the total stolen amount. Since the applicant could not be traced, on 01.05.2025 proclamation under *Section 84 BNSS* was issued against him by the learned Trial Court, and he was arrested on 01.09.2025. At his instance, an amount of nearly *Rs.4 Lakhs* was recovered from his mother's bank account deposited in cash. The charge-sheet has since been filed.

4. Before this Court, learned counsel for the applicant submits that since the applicant has neither been named in the present FIR nor has any recovery been affected at his instance, there is no *prima facie* case against him. Further, the main accused, Raghuveer, at whose instance roughly *Rs.37 Lakhs* was recovered has already been granted bail by a Co-ordinate Bench of this Court *vide* order dated 01.12.2025 in Bail Appln.4051/2025 entitled '*Raghuvir Singh @ Bondi vs. The State (NCT of Delhi)*'. The applicant has already been in custody since 01.09.2025, i.e. for roughly *seven months*, and since the maximum punishment for the offences alleged in the charge-sheet is only *three years*, and lastly, since the applicant is *20 years* of age and has future prospects and responsibilities, as also his father is going through severe medical concerns, this is a fit case for grant of bail to him. In fact, learned counsel has handed over certain medical documents pertaining to the father of the applicant, which are taken on record.

5. Learned APP for State has handed over the Status Report, which is taken on record. Based thereon, he opposes grant of bail to the applicant on the ground that barring the present FIR, the applicant is involved in as many as *seven* other criminal cases under similar provisions of law. Also, he had been absconding and could be apprehended only after issuance of



proclamation by the learned Trial Court. Further, the case is at a nascent stage since the charges are yet to be framed and consequently, the trial has not even started. There is, thus, every likelihood of witness intimidation/ evidence tampering by the applicant, if he is released on bail.

6. This Court has heard learned counsel for the applicant, as well as learned APP for State, and perused the documents as also the Status Report on record.

7. *Admittedly*, it is not in dispute that charges against the applicant are yet to be framed, and a perusal of the charge-sheet reveals that the offences involved are grave, with the maximum period of imprisonment prescribed being *fourteen years*. The same is a vital consideration for this Court in the present application. So much so, the arguments advanced by learned counsel for the applicant qua the offences involved punishable only with *three years* are belied. Regarding the decision of the Co-ordinate Bench in ***Raghuvir Singh @ Bondi (supra)***, though it is pertaining to a co-accused in the present FIR, however, it cannot offer any aid to the case of the applicant since, as evident therefrom, the charges had been framed against the applicant therein only under *Section 317(2) BNS*, which carries a maximum punishment of imprisonment for a period of *three years*.

8. It is also pertinent to note that the applicant herein has been involved in multiple other offences of the same nature. Not only that, he was also, under those circumstances, untraceable as he was absconding till a proclamation was issued against him. There are, thus, chances of the applicant engaging in similar activities and/ or evading arrest and/ or flee and/ or influencing the witnesses and/ or tampering with evidence. All



this raises a deep concern in the mind of this Court regarding granting regular bail to the applicant.

9. In view of the facts and circumstances aforesaid, the present application is dismissed.

SAURABH BANERJEE, J

MARCH 23, 2026/bh