



\$~10

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

+ **BAIL APPLN. 465/2026**

RIYAZ@KOHINOOR

.....Petitioner

Through: Mr. Varun Tripathi, Advocate

versus

STATE OF NCT OF DELHI

.....Respondent

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

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

%

20.05.2026

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No. 621/2021, registered at Police Station Sangam Vihar, Delhi for the commission of offence punishable under Sections 394/395/302/34/174A of the Indian Penal Code, 1860 (hereafter 'IPC').
2. Briefly stated, facts of the case are that on 20.12.2021, a PCR call regarding commission of offence of robbery was received at P.S. Sangam Vihar vide DD no. 35A. Upon reaching the spot the caller/complainant could not be found. It was learnt that the injured person had been taken to hospital by his brother Jatin and friend Pankaj. Thereafter, information regarding admission of an injured person vide MLC no. 500295483/21 and 500295484/21 was received from JP Narayan Apex Trauma Center, AIIMS, New Delhi vide DD no. 64A. Upon reaching the hospital, two injured persons identified as (1) Jatin and (2) Pankaj were found under treatment by



IO. Police had recorded statement of the injured person Pankaj. According to the complainant, while he and his friend Jatin were returning from a birthday party, they were intercepted by 5-6 boys who had wrongfully restrained them and demanded their belongings. Upon refusal, the accused persons had assaulted the complainant and his friend Jatin with stones, leg and fist blows and robbed Rs. 3000/- and documents from the pocket of the victim Jatin.

3. The learned counsel appearing on behalf of the applicant argues that the co-accused namely Naseem, who with similar role, has already been granted regular bail by the learned Trial Court. He argues that the applicant was arrested on the basis of a disclosure statement of the co-accused, and no recovery has been effected from applicant. It is argued that the applicant has neither committed the alleged offence of snatching nor caused fatal injury to the deceased. It is argued that the name of the applicant has not been mentioned in the FIR. It is, therefore, prayed that the applicant be released on regular bail.

4. The learned APP for the State, on the other hand, argues that the allegations levelled against the present accused/applicant are serious in nature. Therefore, it is prayed that the present application be dismissed.

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

6. This Court notes that the present accused/applicant is in judicial custody for the last four and a half years, and out of 36 witnesses, only 14 witnesses have been examined till date, and trial will take time to conclude. Further, eye-witness Pankaj has unfortunately passed away.



7. Considering the overall facts and circumstances of the case, this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs. 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.

8. Accordingly, the present bail application stands allowed and is disposed of.

9. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 20, 2026/zp