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

+ **BAIL APPLN. 658/2026**

**JAI MALIK @ KAKU THROUGH
HIS PAROKAR SMT. GURMEET**

.....Petitioner

Through: **Dr. M.K. Gahlaut & Mr. Taranjot
Singh, Advocates.**

versus

**STATE NCT OF DELHI THROUGH
SHO P.S. TILAK MARG**

.....Respondent

Through: **Mr. Hitesh Vali, APP for State.
SI Sukhbir Singh, PS Tilak Marg.
Complainant in Person.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.03.2026**

CRL.M.A. 6842/2026(for early hearing)

1. This is an application seeking early hearing of the petitioner.
2. For the reasons stated, and with the consent of Mr. Hitesh Vali, learned Additional Public Prosecutor, and the complainant, who appears in person, the application is allowed.
3. The bail application is taken on board.

BAIL APPLN. 658/2026

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks regular bail in connection with FIR No. 103/2025, dated 24.09.2025, registered at Police Station Tilak Marg, for the offences under Section 309(4) of the



Bharatiya Nyaya Sanhita, 2023 [“BNS”].

2. I have heard Dr. M.K. Gahlaut, learned counsel for the petitioner, and Mr. Vali. The complainant is also present in person.

3. Mr. Vali has filed a status report, a copy of which is handed up in Court, and is taken on record.

4. The case of the prosecution, as stated in the status report, concerns an incident of 24.09.2025, when the complainant alleges that his friend and he had collected gold, silver and silver ornaments [approximately 400 grams of gold, 44.5kg of silver and silver ornaments] from jewellers in Bhogal and Chandni Chowk, for the purpose of hallmarking. They were travelling on a scooty, when they were intercepted by a motorcycle. Out of the two accused traveling on the motorcycle, one of them pointed a pistol at the complainant and the bag containing the aforesaid valuable articles was snatched from them. Four accused, including the present petitioner, have been arrested in connection with this offence.

5. As far as the present petitioner is concerned, the role attributed to him is that he was driving the motorcycle while co-accused Pradeep @ Golu was seated on the rear seat. The firearm was pointed at the victim by co-accused Pradeep @ Golu. It is further alleged that 31.45 kg of the silver and silver articles, which was involved in offence was recovered from the possession of the present petitioner. The petitioner also identified the location where he abandoned the motorcycle, which led to its recovery. It is further stated that TIP of the petitioner has been conducted positively.

6. Dr. Gahlaut submits that the chargesheet has already been filed and the charges have been framed. He further submits that the evidence in this



case is largely documentary and has already been collected by the prosecution. He submits that the petitioner has clean antecedents and therefore seeks release on bail.

7. Mr. Vali and the complainant, on the other hand, submit that the case involves serious offences under Sections 309, 311 and 317(2) of the BNS, as well as Section 25 of the Arms Act, 1959. The petitioner is one of the two persons, who is alleged to have been actively involved in commission of the offence, and is identified both in CCTV footage, as well as in TIP. Additionally, recovery of case property has also been effected from the possession of the petitioner. Mr. Vali further submits that the trial is at an initial stage with none of the witnesses, including the victim having yet testified, which may give rise to the possibility of the witness being influenced.

8. Dr. Gahlaut, in rejoinder, submits that the charges have been framed only under Section 309 of BNSS against the petitioner.

9. Having heard learned counsel for the parties, I am not persuaded to grant bail at this stage. The offence under Section 309, with which the petitioner has been charged, carries a maximum punishment of ten years. The petitioner is accused of having been actively involved in the robbery of valuable articles on a public road at gun point. The *prima facie* material against him, includes CCTV footage and a positive TIP identification. Even though the gun was allegedly pointed by the pillion rider, the present petitioner was driving the motorcycle. Substantial case property has also been recovered from the possession of the present petitioner. It is also, in my view, incorrect to suggest that the evidence is documentary in nature. Further, material witnesses are yet to be



examined.

10. Having regard to the nature and gravity of the offence, as well as the *prima facie* material on record against him, I am not inclined to grant the concession of bail to the petitioner at this stage.

11. The bail application is therefore dismissed.

12. The next date of hearing stands cancelled.

13. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

PRATEEK JALAN, J

MARCH 18, 2026

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