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

+ **BAIL APPLN. 728/2026 & CRL.M.A. 5658/2026**

AMIT KUMAR@BADAL

.....Petitioner

Through: Mr. Akashdeep Pandey, Mr. Shakir
Saabbir, Mr. Santosh Kumar
Mishra, Advs.

versus

STATE (GOVT. NCT OF DELHI)

.....Respondent

Through: Mr. Aashneet Singh, APP
Mr. A.K. Jha,

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.03.2026

1. By way of the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks regular bail in connection with FIR No. 171/2024, dated 12.07.2024, under Sections 331(6)/310(2)/311/3(5) of Bharatiya Nyaya Sanhita, 2023, and Sections 25/27 of the Arms Act, 1959, lodged at P.S. Gulabi Bagh, Delhi.
2. I have heard Mr. Akashdeep Pandey, learned counsel for the petitioner, Mr. Aashneet Singh, learned Additional Public Prosecutor, and Mr. A.K. Jha, learned counsel for the victim/complainant.
3. Mr. Singh has also handed over a copy of the status report, which is taken on record.
4. The facts, as stated in the said status report, are as follows:
 - A. The allegations in the FIR pertain to an incident on the intervening



night of 11/12.07.2024 at House Number 18/473, Flat No. 301, third floor, Mahavir Bhavan, Nai Basti Kishan Ganj, Delhi. The case concerns an incident of dacoity at gun point, at an office premises of a transport company by the name of Bikaner Assam Road Lines India Ltd. It is alleged that one employee, namely Joginder Singh Shekhawat sustained a knife injury on his left thigh in course of the incident. The initial complaint was with regard to theft of Rs. 30,00,000/- by eight accused, but the complainant later stated that a total sum of Rs. 4.08 crores was, in fact, stolen.

- B. A total of 14 persons are accused in the present proceedings. Several accused persons are stated to be visible and approaching the location in the footage of the CCTV cameras in the vicinity. Their arrival and departure are alleged to have taken place in two cars.
- C. Although the status report states that 15 accused have been arrested, Mr. Singh, states, upon instructions from the Investigating Officer, that, in fact, 12 have been arrested so far. The present petitioner was arrested on 18.07.2024, and has thus been in custody for the last 20 months.
- D. The status report enumerates recovery from twelve accused persons, who have been arrested. The table showing recoveries from each of the accused persons is reproduced below:

S.No.	Name of Accused	Date of Recovery	Recovered Amount (Rs.)
1	Kailash Singh Chauhan	16/7/24	14,00,000/-
2	Upendra Singh	16/7/24	14,00,000/-



3	Anuj Singh Tomar @ Ankush	16/7/24	25,00,000/-
4	Parmod Singh Tomar	16/7/24	25,00,000/-
5	Md. Faizal	17/7/24	17,54,000/-
6	Sanu Ali	17/7/24	20,00,000/-
7	Md. Tanzeem	18/7/24	21,48,000/-
8	Amit Kumar @ Badal	19/7/24	21,90,000/-
9	Naresh Kumar	19/7/24	7,89,000/-
10	Ranjan Pandit	19/7/24	31,94,500/-
11	Sachin Gupta	19/7/24	18,89,000/-
12	Jagdish Kumar @ Pitari	25/7/24	23,48,000/-
Total Amount Recovered			2,41,13,600/-
Yet to be Recovered			1,66,86,400/-

- E. It is alleged that case property being cash to the extent of Rs. 21.9 lakhs, has been recovered from the petitioner's possession and that he recruited another co-accused, one Naresh Kumar. The presence of the petitioner at the location is sought to be corroborated by the Call Detail Record with regard to his mobile phone.
- F. Six out of the twelve accused have already been granted bail, namely Naresh Kumar, Sachin Gupta, Shanu Ali, Upender Kumar, Anuj Singh Tomar @ Ankush and Pramod Singh Tomar. Pramod Singh Tomar was granted bail *vide* order of this Court dated 26.02.2026 in BAIL.APPLN. 3806/2025. Naresh Kumar, Shanu Ali, Sachin Gupta, Upender Singh, and Anuj Singh Tomar @ Ankush were all granted bail by the Sessions Court *vide* orders dated 30.11.2024, 03.05.2025, 03.07.2025, 30.01.2026, and 06.02.2026 respectively.



G. In the status report, the prosecution has also detailed the roles attributed to each of the accused. So far the petitioner and the six accused who are already on bail are concerned, these are reproduced hereinbelow:

“2. Upender Singh Chauhan - He was the second informer and also a former employee of the complainant's company. After receiving the cash-related information from Kailash, he passed it on to his associates Pramod Singh Chauhan and Anuj Singh Tomar @ Ankus.

3. Anuj Singh Tomar @ Ankus - He is a resident of the same village as Upender. He played a crucial role in conducting reconnaissance of the scene of crime (SOC) along with Pramod Singh, Mohd Tanzeem, Faisal, and Rajan Pandit.

4. Pramod Singh Chauhan - He got acquainted with Mohd Tanzeem in jail. He participated in the planning and reconnaissance of the SOC and helped mobilize other accused persons for the robbery.

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7. Shanu Ali - He was one of the direct participants in the robbery and acted on the instructions of the main conspirators.

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13. Sachin Gupta - He played the role of a lookout and was responsible for keeping watch at the SOC along with Najakat during the robbery.

14. Amit Kumar @ Badal - He actively participated in executing the robbery and acted in coordination with other accused persons.

15. Naresh Kumar- He was one of the robbers involved directly in committing the robbery as part of the executing team.

[Emphasis supplied.]

5. Mr. Pandey places his case primarily on the ground of parity, and on the ground of stage of proceedings. He submits that, as evident from the status report, six of the co-accused have already been granted bail, including those whose roles are substantially similar to that of the present petitioner. He further submits that the matter is still pending at the stage of charge, and that it will take considerable amount of time to conclude



the trial.

6. Mr. Singh and Mr. Jha, however, oppose the grant of bail, having regard to the seriousness of the offence, and the fact that a substantial amount of Rs. 21.9 lakhs was recovered from the present petitioner. It is also submitted that the present petitioner had active involvement in commission of the offence, as he was one of the individuals who entered the scene of crime.

7. Having heard learned counsel for the parties and examining the material on record, I am of the view that this is a fit case to grant bail to the petitioner, for the following reasons:

- A. It is clear from the above that all the accused, other than the petitioner, who have already been granted bail, have also been subjected to substantial recovery. Further, Naresh Kumar and Shanu Ali were also alleged to have been directly involved in committing the offence of robbery. The petitioner has, therefore, made out a case of parity with the co-accused.
- B. The submission of Mr. Singh and Mr. Jha that a substantial amount was recovered from the petitioner also does not hold ground, as this Court has earlier granted bail to Pramod Singh Tomar, from whom recovery was to the extent of Rs. 25,00,000/-, which is more than that of the petitioner. The quantum of recovery thus can not be a standalone ground on which bail is denied.
- C. It is the admitted position that the petitioner has already spent approximately 20 months in judicial custody, while the proceedings before the Sessions Court is still at the stage of arguments on charge. In fact, Mr. Singh accepts that they have



remained at the same stage for approximately one and a half years. He submits that about three to four months out of this was due to vacancy in the said Court. However, the position remains that, the trial has not yet commenced, and the prosecution has cited 55 witnesses, making the possibility of expeditious conclusion of proceedings, extremely remote.

8. In view thereof, it is directed that the petitioner be released on bail in connection with FIR No. 171/2024, dated 12.07.2024, lodged at P.S. Gulabi Bagh, Delhi, subject to furnishing of a bail bond in the sum of Rs. 35,000/- with one surety to the like amount, to the satisfaction of the Sessions Court/Duty Magistrate, and subject to the following further conditions:

- a. The petitioner shall appear before the Sessions Court on each and every date of hearing;
- b. The petitioner shall provide his permanent address to the Sessions Court, as also the address where he is residing during the pendency of the case. The petitioner shall intimate the Investigating Officer ["IO"], and file an affidavit before the Sessions Court, regarding any change in residential address.
- c. The petitioner shall provide his mobile number to the concerned IO/Station House Officer, which shall be kept in working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;
- d. The petitioner shall surrender his passport, if any, and shall



not leave the country without prior permission of the Sessions Court;

- e. The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- f. The petitioner shall not commit any offence during the period of his release.

9. The bail application is disposed of in terms of the above.

10. 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.

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

PRATEEK JALAN, J.

MARCH 20, 2026

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