



2026:DHC:1785



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 27.02.2026

+ BAIL APPLN. 866/2026, CRL.M.A. 6642/2026, 6643/2026 & 6644/2026

ROHIT

.....Petitioner

Through: Mr. Sudhakar Tiwari, Mr. Manoj Kumar and Mr. Ajay Kumar Srivastav, Advocates.

versus

STATE OF GNCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State with SI Narender.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 357/2024 of PS Chitranjan Park for offence under Section 309(6)/310(2)/311/317 (3)/61(2)/3(5) of BNS and Section 25/27 of Arms Act.

2. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/SI Narender Singh.

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3. Learned counsel for accused/applicant seeks parity with the bail granted to the co-accused persons by this court by way of orders annexed as Annexure P-7, P-8 and P-10.

4. Learned APP opposes the bail application, presenting submissions on the instructions of the IO, which submissions are contrary to or not raised in the case of bail applications of the remaining accused persons.

5. Broadly speaking, according to the prosecution case, the accused/applicant and his co-accused persons forcibly entered house of the complainant *de facto* and committed robbery. The total number of accused persons was stated to be 3-4 earlier during the hearing of bail application of co-accused Laiq Ahmad, but today it is stated by the IO that the total number of accused persons were 10. Further, according to prosecution the complainant *de facto* is engaged in the business of jewellery. But the alleged robbery involved snatching of only one anklet from foot of wife of the complainant *de facto*.

6. As per the FIR, which was registered on a complaint filed two days after the alleged incident, on 28.11.2024 at about 08:30pm, when after hearing some commotion from the side of kitchen the complainant *de facto* went there, he found his servant Harish had been caught hold of by 3-4 persons, one of whom was carrying a pistol and those intruders threatened his wife to hand over the entire money and gold otherwise she would be killed and thereafter, one of those intruders hit on the head of the

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complainant *de facto* while another intruder snatched out anklet from foot of the wife of the complainant *de facto* and all of them ran away.

7. As recorded in the bail orders of the co-accused persons, the CCTV footages shown during arguments presented completely different pictures in the sense that the same depicted that the complainant *de facto* was sitting on ground and was attacked by few assailants with muffled faces. In the initially shown CCTV footage pertaining to the bail application of accused Laiq Ahmad, there was no footage depicting wife of the complainant *de facto* or the anklet being snatched. Subsequently, in the bail application of accused Suphiyan Ali, the CCTV footage shown was different. Today, another CCTV footage is shown by the IO, depicting a scuffle in the house, involving 3-4 persons and it is stated by the IO that the same depicts snatching of anklets from both feet of wife of the complainant *de facto*.

8. It is not just the three apparently distinct CCTV footages, it is also that the same do not depict the incident as narrated in the FIR. Besides, when 9 persons armed with a pistol enter house of a jeweller, one wonders as to why they would run away after snatching just an anklet (*as submitted today for the first time, two anklets*). There is also no clarity as to why the complaint was lodged after delay of two days.

9. But as stated in the earlier bail applications, these aspects are yet to be tested through full dress trial.

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10. Presently, there is no reason to deny liberty to the accused/applicant. Therefore, the bail application is allowed and the accused/applicant is directed to be released on bail, subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the learned trial court. Accompanying applications stand disposed of. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant.

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(JUDGE)**

FEBRUARY 27, 2026/ry