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

+ BAIL APPLN. 894/2026

SANJAY @ PANKAJ

.....Applicant

Through: Mr. R. K. Tarun, Mr. R. R. Bharati,
Ms. Subedita Rani, Ms. Aditi
Shivdhatri, Ms. Khushi Gupta and
Mr. Hemant Jain, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP for the
State

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

25.03.2026

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1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant namely Sanjay @ Pankaj seeks grant of regular bail in FIR No.118/2025 dated 28.04.2025 registered at PS.: Hauz Qazi under *Section 309(4)/311/317(2)/61(2)/238/3(5)* of the Bharatiya Nyaya Sanhita and *Sections 25/27* of the Arms Act.

2. *Briefly put*, as per prosecution, the present FIR came to be registered on the complaint of Mr. Sudhakar Shukla (**complainant**), who alleged that while going to his employer's house on 28.04.2025 he was robbed of Rs.60,00,000/- at about 04:00 PM on gunpoint. Pursuant thereto, during investigation CCTV footages revealed that the present applicant, along with other co-accused persons, were following the complainant on a motorcycle, and the co-accused Ravi Gupta robbed the



complainant of the cash-filled bag at gunpoint and fled from the spot on a motorcycle along with the applicant. Co-accused Ravi Gupta and Amit Kumar were arrested on 01.05.2025, while the present applicant and accused Rohit were arrested on 02.05.2025. Thereafter, based on the disclosure statements, recovery of the robbed amounts were effected from the accused persons, including Rs.11,50,000/- from the present applicant.

3. In these facts, learned counsel for the applicant praying for release of the applicant on regular bail submits that *[i]* the applicant, being a person with clean antecedents, has been falsely implicated in the present case solely on the basis of disclosure statement of co-accused; *[ii]* there is an unexplained delay of *five hours* in lodging the present FIR; *[iii]* the applicant cannot be seen in CCTV footage, which even otherwise, has not been sent for verification; *[iv]* the CDR does not reflect the presence of the applicant at or near the alleged place of occurrence; *[v]* the applicant is in custody since 02.05.2025 and investigation *qua* him stands concluded with chargesheet having been filed; *[vii]* the trial is at the stage of framing of charges and there are as many as *forty one* prosecution witnesses and thus, it is very likely that conclusion of trial will take time; and lastly *[viii]* one of the co-accused namely, Amit Kumar, has been granted bail by this Court. To buttress his arguments, the learned counsel relies upon *Satpal Singh v. State of Haryana : [2010] 9 S.C.R. 50; Kamal @ Kamal Choudhary v. The State of Madhya Pradesh : SLP(Crl.) No. 808/2025; Sunder Singh Bhati v. The State : Bail Appln.3750/202.*

4. *Per contra*, learned APP for State relying upon the Status Report handed over, and which is taken on record, opposes grant of bail to the applicant and submits that *[i]* the nature of offence alleged is heinous; *[ii]*



CCTV footage clearly shows that the applicant, along with other co-accused person, was following the complainant and helped the co-accused Ravi in fleeing from the spot after commission of the offence; [iii] the CDR analysis reveals that all the accused persons were connected with one another; [iv] out of total robbed currency, a sum of Rs.49,50,000/- has been recovered, of which Rs.11,50,000/- has been recovered at the instance of the applicant; and lastly [v] the trial is at initial stage, with material witnesses yet to be examined and there exists reasonable apprehension that if the applicant is granted bail, he may influence the witnesses.

5. Heard learned counsel for the applicant as also the learned APP for the State and perused the documents as also the Status Report on record.

6. No doubt, the offence alleged is heinous in nature, however, having regard to the overall facts and circumstances, this Court is of the considered opinion that the learned counsel for the applicant has *prima facie* made out a case for grant of bail, *particularly*, since as per the CCTV footage itself, the role attributed to applicant is minimal/ limited to that of a conspirator and facilitator of the offence as he was only the rider. Also, of the total robbed amount a sum of Rs.49,50,000/- has already been recovered. In these circumstances, whence the investigation has already concluded, as also the chargesheet has also been filed and the trial is at the nascent stage as charges yet to be framed, with as many as *forty-one* prosecution witnesses to be examined, the whole process is likely to take considerable time and no useful purpose would be served by keeping the applicant in custody. More so, since his overall conduct during incarceration is '*Satisfactory*'.



7. Accordingly, the present application is allowed. The applicant be released on regular bail in proceedings arising out of in FIR No.118/2025 dated 28.04.2025 registered at PS.: Hauz Qazi under *Section 309(4)/311/317(2)/61(2)/238/3(5)* of the Bharatiya Nyaya Sanhita and *Sections 25/27* of the Arms Act, upon him furnishing a personal bond in the sum of Rs.50,000/- [*Rupees Fifty Thousand Only*] along with one surety of the like amount by a family member/ friend having no criminal case pending against him/ her and subject to the satisfaction of the learned Trial Court, and further subject to the following conditions:

- i. Applicant shall not leave NCT of Delhi without prior permission of this Court and shall ordinarily reside at the address as per prison records. If he wishes to change his residential address, he shall immediately intimate about the same to the IO by way of an affidavit.
- ii. Applicant shall surrender his passport, if any, to the IO, within a period of *three days*.
- iii. Applicant shall appear before the Court as and when the matter is taken up for hearing.
- iv. Applicant shall provide all his mobile numbers to the IO concerned which shall be kept in working condition at all times and setting for location be kept on at all times.
- v. Applicant shall report to the IO at PS: Hauz Qazi once every month in the first week of the month unless leave of every such absence is obtained from the learned Trial Court.
- vi. Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the



prosecution witnesses, or tamper with the evidence of the case.

8. Copy of this order be sent to the concerned Jail Superintendent for information and compliance.
9. The present application is accordingly disposed of.
10. Needless to say, the expression of opinion herein, if any, will have no bearing on the overall merits/ trial involved later.

SAURABH BANERJEE, J

MARCH 25, 2026/bh