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

+ **BAIL APPLN. 1975/2026**

CHARANJEET

.....Petitioner

Through: Mr. Vikram Singh Panwar, Mr. D S
Kohli, Mr. Suyash Sinha, Advocates.

versus

THE STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
State with SI Mohit and HC Sunil,
PS: Narela Industrial Area, Delhi.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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19.05.2026

CRL.M.A. 16169/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of instant application, the applicant is seeking anticipatory bail in case arising out of E-FIR bearing no. 80032617/2026, registered at Police Station Narela Industrial Area, Delhi, for the commission of offence punishable under Section 303(2) of Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Brief facts of the case are that on 20.04.2026, the complainant, Kamal



Shingari, had lodged an online E-FIR for offence under Section 303(2) of the BNS regarding theft of Aluminium Foil weighing 449 kgs from his factory bearing no. F-40 and 63, Sector-5, DSIIDC, Bawana, Delhi. During investigation, statement of the complainant was recorded, wherein he had stated that the present applicant Charanjeet, who had been employed as a Manager in his factory, had committed theft of one box of Aluminium Foil on 23.02.2026 and was seen in the CCTV footage loading the same into a vehicle with the help of a Hydra machine. During investigation, CCTV footage was examined and statement of eye-witness Jaswant was also recorded under Section 180 of BNSS. On the basis of the material collected during investigation, commission of offence under Section 306 BNS was found to be made out and accordingly, Section 306 of BNS was substituted in place of Section 303(2) of BNS.

6. The learned counsel appearing on behalf of the applicant states that the applicant has been falsely implicated in the present case. It is submitted that the applicant had been working in the factory in question for the last about 15 years and, therefore, his presence in the factory on 17.04.2026 was natural and attributable to his employment therein. It is further argued that in the beginning of January, 2026, the applicant had requested the complainant for enhancement of his salary, however, the same was refused. Thereafter, having been left with no other option, the applicant resigned from his employment in February, 2026 in search of better job opportunities, due to which he has been falsely implicated in the present case. It is also contended that the applicant has already joined the investigation and has fully cooperated with the investigating agency and shall continue to do so as and when required. Therefore, it is prayed that the applicant be granted



anticipatory bail.

7. The learned APP for the State, on the other hand, argues that during interrogation, the applicant had admitted that he had sold the aluminium foil to a person for ₹1 lakh, however, he has not disclosed the details of the said person. He further submits that though the complainant has stated that the applicant is visible in the CCTV footage while loading the aluminium foil into an unknown vehicle, on instructions from the investigating officer concerned, it is submitted that the applicant is not clearly visible in the CCTV footage while loading the aluminium foil into the said vehicle.

8. This Court has **heard** arguments addressed on behalf of the applicant as well as State, and has perused the case file.

9. This Court notes that, as per the submissions made by the learned APP for the State on instructions from the investigating officer, though the complainant has alleged that the applicant is visible in the CCTV footage while loading the stolen aluminium foil into an unknown vehicle, the applicant is, in fact, not clearly visible in the said footage. Thus, at this stage, the material collected during investigation does not *prima facie* disclose any direct evidence showing the involvement of the applicant in the alleged act of theft. Further, it is not disputed that the applicant was working in the factory of the complainant for last 15 years, with no complaints and the fact that he has no criminal antecedents.

10. This Court also takes note of the fact that the applicant has already joined the investigation and cooperated with the investigating officer. In the opinion of this Court, no purpose would be served by subjecting the applicant to custodial interrogation at this stage.



11. Accordingly, having regard to the overall facts and circumstances of the case, this Court is inclined to grant the relief of anticipatory bail to the applicant. Therefore, in the event of arrest, the applicant shall be released on bail upon furnishing a personal bond in the sum of ₹10,000/- with one surety of the like amount to the satisfaction of the SHO/Investigating Officer concerned, subject to the following terms and conditions:

- i) The applicant shall remain available on mobile numbers, shared by him with the I.O./SHO concerned; and join investigation as and when called by the I.O.
- ii) The applicant shall not leave the country without prior permission of the concerned Court.
- iii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.
- iv) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned I.O./SHO.

12. The present bail application stands disposed of.

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

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 19, 2026/vc