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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4326/2024**
BABLU MATHUR

.....Petitioner

Through: Mr. Jitendra Sethi with Mr. Hemant Gulati, Mr. Divyam Gaur, Mr. Keshav Sethi, Advocates.

versus

STATE (NCT) OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP with SI Kunal Kishor.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

25.02.2026

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1. Applicant seeks regular bail in a case of robbery and murder arising out of FIR No. 221/2015 dated 04.03.2015, registered at Police Station Karol Bagh, Central Delhi, for commission of offences under Sections 302/392/394/397/342/411/120-B/34 of IPC and Sections 25/27 of *Arms, Act, 1959*.
2. The incident in question took place on the night of 03.03.2015, when all three accused persons entered victim's house carrying gun and knives and while committing robbery, one person was murdered.
3. The charges were framed way back on 01.10.2015 and admittedly, all material public-witnesses, including the eye-witnesses, have been examined.
4. Learned counsel for the applicant submits that, as alleged, the applicant was accompanied by two more persons and both such persons have already been enlarged on bail. Learned Coordinate Bench of this Court, while granting bail to co-accused-Ankit vide order dated 29.08.2023 in BAIL

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APPLN. 2281/2023, observed that there was no chance of tampering with the evidence as the material witnesses had already been examined and only formal-witnesses were left out. The other co-accused-Ajay was enlarged on bail by the learned Trial Court *vide* order dated 19.09.2023.

5. Learned APP for State submits that the trial is progressing at a faster pace and only six witnesses are left to be examined. As per the case of prosecution, death of the victim was on account of bullet injury and it was the applicant who was carrying the firearm. It is informed that the applicant herein is found to be also involved in two other matters. Learned counsel for applicant submits that in one such case he is on bail while the other case, of cheating, stands quashed.

6. Learned counsel for the applicant contends that no firearm has been recovered in the case in hand and pending cases against the applicant herein cannot be the basis for rejection of bail in the present matter. He relies upon *Sunil Bihari Alias Shakti Singh v. The State (NCT of Delhi)*, 2025:DHC:11035 wherein it was observed that if the incarceration is substantial, the benefit of bail cannot be denied on the criteria of his implication in previous FIR(s).

7. Learned counsel for the applicant also submits that, as per the Nominal Roll of the applicant, he has undergone incarceration for more than 8 ½ years and therefore, the applicant deserves concession of bail on account of having suffered incarceration for a significant period of time coupled with the fact that all material witnesses have been examined and places reliance on *Praveen Rathore v. The State of Rajasthan and Ors.* 2023 SCC OnLine SC 1268.



8. Keeping in mind the overall facts and circumstances of the case and the long period of incarceration undergone by the applicant, applicant is, hereby, admitted to bail on same terms and condition as were imposed by this Court on co-accused-Ankit *vide* order dated 29.08.2023 in BAIL APPLN. 2281/2023.

9. Application stands disposed of in aforesaid terms.

10. A copy of this Order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

MANOJ JAIN, J

FEBRUARY 25, 2026/sw/sa



This is a digitally signed order.

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