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

+ **BAIL APPLN. 4999/2025**

SURAJ @ FIGHTER

.....Petitioner

Through: Mr. Pratham Malik & Mr. Manish
Kumar, Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

06.04.2026

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 52/2021, registered at Police Station Subzi Mandi, Delhi for the commission of offences punishable under Sections 419/420/392/398/411/34B of the Indian Penal Code, 1860 (hereafter '*IPC*').

2. Briefly stated, the case of the prosecution is that the complainant, Mr. Vyaan Ajane Tarak Mandal, is engaged in the business of jewellery making. On the night of 28.01.2021 at about 9:15 p.m., the complainant, along with his friend and brother-in-law, had left for Lucknow for the purpose of selling gold jewellery weighing about 2.5 kgs, which was kept inside a bag. They had boarded a TSR bearing No. DL-1RZ-2526 to travel to ISBT Kashmiri Gate. While on their way, they were intercepted by three persons who impersonated themselves as officials of the Crime Branch. On the pretext of checking the bag, the said persons took possession of it and thereafter fled



from the spot. It is the further case of the prosecution that the said three persons had robbed the gold items from the complainant while threatening him with a pistol and a knife.

3. The learned counsel appearing for the applicant argues that till date, only 10 witnesses have been examined by the prosecution; however, all the material witnesses stand examined. It is thus argued that the trial will take considerable time to conclude. It is pointed out that the applicant has been in judicial custody for about four and a half years. It is, therefore, prayed that the applicant be released on regular bail.

4. The learned APP for the State, on the other hand, strongly opposes the bail application and argues that the applicant is not entitled to bail, especially considering his conduct. It is contended that the applicant is involved in as many as 39 criminal cases, out of which trial is ongoing in about 5 cases. It is further stated that his jail conduct is unsatisfactory as he has been awarded 13 jail punishments. It is therefore prayed that the application for grant of regular bail be dismissed.

5. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record.

6. Having heard rival contentions and perused the case file, this Court is of the opinion that the last one year jail conduct of the applicant herein is reported as satisfactory, and last jail punishment awarded to him was in June, 2024. In the present case, out of 22 prosecution witnesses, only 10 witnesses have been examined till date. Therefore, in this Court's view, the trial will take considerable time to conclude.

7. Considering the overall facts and circumstances of the case, and especially the period of custody undergone by the applicant, this Court is



inclined to grant regular bail to the applicant, on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court.
 - ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.
 - iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.
 - iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
8. Accordingly, the present bail application stands disposed of.
9. It is clarified that in case the applicant commits any offence during the period he remains on bail, the same shall be a ground for seeking cancellation of bail.
10. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.
11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 06, 2026/zp
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