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

+ **BAIL APPLN. 217/2026**

MAHESH @ LALA

..... Applicant

Through: Ms. Shweta S. Kumar, Adv.
(through VC)

versus

THE STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Mr. Satish Kumar, APP for the
State with Ms. Upasna Bakshi, Mr.
Aditya Vikram Singh and Mr.
Gourav Singh, Adv. with SI
Pardhan S, PS: Karol Bagh
Mr. Sarthak Karol, SC (DHCLSC)
with Ms. Neelakshi Bhadauria and
Ms. Tanishka Pawar, Adv. for
Complainant

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

05.05.2026

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1. By virtue of the present application under *Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)*, the applicant seeks grant of regular bail in FIR No.1105/2024 dated 30.11.2024 registered at PS.: Karol Bagh (*PS*), Delhi under *Sections 309(4)/311/317(2)/3(5)/61(2)* of the Bharatiya Nyaya Sanhita, 2023 (*BNS*) read with *Section 25/27* of the Arms Act, 1959.

2. *Succinctly put*, as per prosecution story, an information was received on 29.11.2024 at PS Karol Bagh regarding a robbery wherein Rs.90,00,000/- were looted from the complainant and his associate at gunpoint. Thereafter, the present FIR was registered on the basis of the

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complainant's statement. During investigation, analysis of the CCTV footage of the spot and nearby area revealed involvement of one motorcycle, which was owned by one of the co-accused Mojassam @ Jugnu. The said co-accused, during interrogation, disclosed his involvement in the commission of the crime along with other co-accused persons. Subsequently, Mojassam @ Jugnu and other co-accused persons namely, Naresh @ Anadi, Kamaluddin@ Joni, Neeraj @ Sonu, Md. Ibrahim @ Monu, Pankaj, Sandeep Chauhan @ Mama, Akshay, Arun @ Anna, and Vimal were arrested. During their interrogation, it was revealed that the co-accused Vimal provided information about the cash, pursuant whereeto, these persons entered into a conspiracy, which ultimately resulted in commission of robbery by the present applicant along with Akshay, Arun @ Anna. As per Status Report, at the time of commission of the offence, Arun @ Anna was riding the motorcycle, while Akshay and the applicant were sitting behind him. Eventually, the applicant was arrested on 07.09.2025.

3. In these facts, learned counsel for applicant prays for release of the applicant on regular bail since *[i]* the applicant is not named in the FIR; *[ii]* the applicant is a person with clean antecedent who has been falsely implicated in the present case solely on the basis of disclosure statement of the co-accused persons; *[iii]* there is no recovery from the applicant; *[iv]* other co-accused have already been admitted to bail; *[v]* investigation in the present matter stands concluded with chargesheet having been filed; and lastly *[vi]* trial is at the stage of framing of charges and thus, it is very likely that conclusion thereof will take time.



4. *Per contra*, learned APP for State, relying upon the Status Report, opposed the grant of bail. The learned APP submits that *[i]* the allegations against the applicant are serious in nature; *[ii]* the applicant was actively involved in commission of crime as he came to the spot on motorcycle with co-accused Arun @ Anna and Akshay and was sitting on the bike at the time of commission of the crime; *[iii]* the applicant was successfully identified by complainant during Test Identification Parade; *[iv]* barring the present FIR, the applicant is also involved in three other FIRs; and *[v]* the trial is at the nascent stage, with material witnesses yet to be examined and if bail is granted to the applicant, then he may tamper with the evidence, influence/ threaten the witnesses, jump the bail and may not join the trial.

5. Learned counsel for complainant also handed over a copy of written synopsis, which is taken on record. Relying thereon, and in support of the submissions made by learned APP for State, he submits that the applicant has prior criminal antecedents as he is involved in three other FIRs. He further submits that the applicant had evaded arrest during investigation for more than nine months.

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

7. As borne out from the facts herein, the offence involving the applicant was a pre-mediated one which was hatched after due application of minds of all those involved, including the applicant herein. The applicant was an active participant and was all throughout there during the commission of the offence. Further, the applicant has also prior



antecedents. The applicant has been positively identified as one of the perpetrators involved in the commission of the said offence by the complainant during the Test Identification Parade.

8. Under these circumstances, coupled with the factum that the trial is still at the stage of framing of charges and the evidence of material witnesses, including that of the complainant, is yet to commence, there is a likelihood of the applicant influencing the witnesses/ tampering with the evidence.

9. *Ergo*, in view of the aforesaid discussions, the present bail application is dismissed at this stage.

10. Needless to say, since the expression of opinion, if any, are for the purposes of adjudicating the present application only, they have no bearing on the overall merits/ trial involved.

SAURABH BANERJEE, J.

MAY 05, 2026/So/GA