

Bail Application No.547/2026
State of Delhi v. Deepak Gupta
FIR No.233/2025
PS Delhi Cantt.

U/s 309(4)/310/317(3)/61(2)/3(5) BNS

23.03.2026

Present: None for State.

IO SI Chandra Shekhar in person.

Sh.Pankaj Chaudhary, Ld. Counsel for the applicant /
accused.

This is an application for grant of regular bail u/s 483
BNSS moved on behalf of the applicant / accused **Deepak Gupta**.

TCR has been received. Reply by IO is filed. Copy
supplied.

Arguments have been advanced on the present
application.

It has been submitted by IO that one robbed mobile
phone has been recovered from the accused. It has been further
submitted that on the basis of the CCTV footage of nearby hotel, the
accused can be seen along with co-accused persons where they
hatched their conspiracy for committing dacoity. Furthermore,
location data of mobile phone of accused was analyzed and the same
was found to be near the place of incident on the day of commission
of offence. It has been further submitted that CDR of accused shows
that he was in touch with the co-accused persons. It has been
submitted that the accused is likely to misuse bail granted, if released
from custody and may also commit similar offences, if released.

On the other hand, it has been argued by counsel for accused that investigation qua the present accused is already complete in the present matter and charge sheet has already been filed before the Ld. JMFC. It has been further submitted that accused is willing to abide by conditions imposed by court upon grant of bail. It has been further submitted that the accused has clean antecedents and has deep roots in society. It is further submitted that accused has already remained in custody for more than 2 months.

Heard. Record perused.

Investigation qua the present accused is already complete as stated by IO himself. Charge sheet is already filed. Recovery of case property has already been made from the present accused. No previous involvement has been reported against the present accused. The material available against accused *per se* is only the recovered case property. Mere CCTV footage of a nearby hotel even in the company of co-accused persons, without any evidence to show as to the reason for the meeting between accused and co-accused, is not sufficient as incriminating evidence. Furthermore, CDR showing accused being in contact with co-accused is also not sufficient incriminating material, unless the content of conversation is produced. Thus, mostly it is only the disclosure statement that the Investigating Agency is relying upon.

As trial is likely to take some time in the present matter, considering that further investigation qua other accused is still continuing and supplementary charge sheet still has to be filed and in

view of above facts and circumstances, the court is of the view that no fruitful purpose would be served by keeping the accused in custody and application is allowed and the accused is admitted to bail on furnishing personal bond / surety bond in the sum of Rs.50,000/- along with one surety in the like amount subject to the following conditions :-

1. The accused shall not contact or influence any witness.
2. Further, the accused shall appear before Trial court on each and every date of hearing.
3. The accused shall join further investigation as and when required.
4. The accused shall intimate the Ld. Trial court prior to changing of his address at any time during trial.
5. The accused shall provide his active mobile phone number on which he shall remain unavailable to Ld. Trial Court.

Needless to say, the observations made herein are without prejudice to the merits of the case.

Bail application is accordingly disposed off.

Copy of this bail order be sent to accused through concerned Jail Superintendent and other compliances be also made in terms of directions passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition (Crl.) No. 4/2021 dated 31.01.2023.

Trial court record be sent back to the concerned court.

Copy of the order be given dasti.

(Deepti Devesh)
Roster Judge/ASJ/Spl.FTC/23.03.2026