

22 Bail Matters 355/2026
STATE Vs. DHARMENDER
FIR No. 5/2026
PS Kashmere Gate
under Sections 309(4)/317(2)/3(5) BNS

25.02.2026

Video Conferencing facility is active throughout the proceedings during the day.

This is application under Section 483 Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of bail moved on behalf of the applicant Dharmender.

Present: Sh. Gurdaulat Singh Sidhu, Ld. Addl. PP for the State.
Sh. Manoj Kumar Chaurasia, Ld. Counsel for the applicant/accused.
IO/SI Dinesh Kumar in person.

TCR received. Taken on record.

Arguments heard. Record Perused.

ORDER ON THE BAIL APPLICATION:

Vide this order, this Court shall adjudicate upon the bail application filed under Section 483 BNSS on behalf of the applicant Dharmender.

1. Ld. Counsel for the applicant/accused submitted that the applicant has been falsely implicated in the present case and is in judicial custody since 07.01.2026.

2. It is further averred that there is no CCTV footage and public witnesses, investigation is complete and charge-sheet has already been filed, applicant/accused is a sole bread earner having

family to maintain, his wife is four months pregnant and there is no one to look after her, applicant/accused has no previous involvement and no recovery has been effected at the instance of applicant/accused.

3. It is further averred that earlier bail applications of applicant/accused have been dismissed vide order dated 30.01.2026 and 19.02.2026.

4. It is further averred that the accused/applicant is no more required for the custody as investigation is complete and no useful purpose would be served by keeping him behind the bars. It is further averred that the accused/applicant undertakes to abide by all the terms and conditions imposed on the applicant in case the bail is granted.

5. Ld. Addl. PP for the State duly assisted by the IO vehemently opposed the bail application on the ground that the nature of crime is heinous, material witnesses are yet to be examined and bail at this stage could raise the apprehensions to witnesses and same would raise the impediments in the free and fair trial. Further, if the applicant is granted bail, he may influence the witnesses and can abscond. It is prayed that application be dismissed.

6. I have heard the submissions and perused the record carefully.

7. Perusal of the record reveals that applicant/accused has been charged for the offence under Section 309(4)/317(2)/3(5) BNS and matter is at the stage of PE.

8. Perusal of the reply filed by the IO reveals that case

property/looted purse was recovered from the pocket of applicant/accused and he was arrested on the identification of the complainant. It further reveals that applicant/accused is a habitual offender having previous involvement and there is apprehension that applicant/accused can jump the bail on being released.

9. In view of aforesaid facts and circumstances, considering the gravity of the offence, seriousness of the allegations levelled against the accused/applicant, fact that material witnesses are yet to be examined, previous involvement of the applicant/accused, apprehension that accused/applicant can jump the bail and influence the witnesses on being released and finding force in the submissions made by Ld. Addl. PP for the State and in the reply of IO, this Court is not inclined to enlarge accused/applicant **Dharmender** on bail at this stage. Accordingly, the present bail application stands dismissed and disposed of.

10. Needless to say, the above-mentioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not finding on merits, and would also have no bearing on the merits of the case. Application stands disposed of.

Copy of this order be sent to SHO concerned for information.
Copy of this order be given dasti to the Ld. Counsel for accused as well as to the Ld. Prosecutor for record.

Order be uploaded on CIS.

(SHILPI JAIN)
ASJ-02, Central, THC
Delhi/25.02.2026