

22.04.2026

Present : Sh. Girish Giri, Ld. Addl. PP for the State.

Accused produced in JC.

Sh. Achal Sharma, Ld. Counsel for the applicant/accused.

IO/SI Harish Kadian is also present.

1. Vide this order, this Court shall dispose of an application u/s 483 BNSS moved on behalf of applicant/accused Abhishek.
2. Reply to the bail application has been filed by the IO. Copy supplied.
3. Submissions heard on the present bail application and record perused.
4. Ld. Counsel for the applicant/accused submits that the accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused is the sole bread earner of his family and his family members are entirely dependent upon him. It is further submitted that there is an unexplained delay in registration of FIR in the present case as, as per the prosecution itself, the alleged incident had taken place at around 7-8 pm and whereas the call to the police was made at about 9:30 pm which raises serious doubts regarding the authenticity and veracity of the allegations levelled against the applicant/accused. It is further submitted that the investigation has already been completed and the chargesheet has also been filed in the present case. It is further submitted that there is no previous criminal involvement of the applicant/accused in any

other case. It is further submitted that the applicant/accused is in JC since 31.12.2025 and it will take considerably long time to conclude the trial and the applicant/accused cannot be kept in judicial custody for a long period.

5. Ld. Addl. PP for the State has strongly opposed the present application and has prayed for its dismissal contending that the applicant/accused along with CCL namely 'IS' committed robbery of mobile phone make OPPO (dark blue colour) from the possession of complainant Amit Sahni on the point of knife. It is further contended that the applicant/accused and the aforesaid CCL were apprehended at the spot itself and the knife used in commission of the offence was also recovered from the possession of the applicant/accused.

6. Perusal of record reveals that the charges for the offence punishable u/s 309(4)/3(5) BNS and u/s 311 BNS have already been framed against the applicant/accused in this case. The allegations against the applicant/accused are grave and serious in nature that he committed the robbery on the point of knife. Further, the applicant/accused along with the CCL was apprehended at the spot itself and the knife used in commission of the offence was also recovered from the possession of the applicant/accused. The matter is at the stage of prosecution evidence and material public witness i.e. complainant is yet to be examined, hence the possibility of applicant/accused threatening the witness and tampering with the evidence cannot be ruled out, if he is released on bail at this stage.

7. In the above facts and circumstances and considering the nature and gravity of offence and the punishment entailed for the charged offences, no ground is made out to grant

bail to the applicant/accused, at this stage. **The present bail application is accordingly dismissed.**

8. It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.

9. The present bail application accordingly stands dismissed and it be tagged with the main file.

(PREM KUMAR BARTHWAL)
Principal District & Sessions Judge
North District/Rohini Courts/Delhi
22.04.2026 (dv)