

27.02.2026

This is an application u/s 439 Cr.PC for grant of bail filed on behalf of applicant /accused.

No bail application has been reported to be pending before any other court or before Hon'ble High Court of Delhi.

Present : Sh. Vikram Dubey, Ld. Substitute Addl. PP for the State.
Ms. Kanchan Dewan (M.No. 9350544548), Ld. Dy.
LADC for the applicant/ accused.
IO is absent.

TCR produced by Ahlmad of concerned court. Same is perused and returned back.

1. By filing the present application, applicant/ accused namely **Rehan @ Mohd. Rehan** is seeking **regular bail** on the ground that the applicant/accused is an innocent person and falsely implicated in the present case by the police officials and is infact victim of circumstances. It is further submitted that after considering the facts and circumstances of the case, the applicant/accused was granted bail by the Ld. Trial Court and after that applicant/accused was regularly appearing before the Ld. Trial. Court.
2. It is further submitted by the Ld. Dy. LADC for the applicant/accused that the matter was fixed before the Ld. Trial Court on 19.03.2025 and on that date applicant/accused did not appear due to the illness of his wife who was critically ill. It is further submitted that due to financial crises, applicant/accused could not afford the Advocate to defend his case but he had informed the IO about his family circumstances.
3. It is further submitted by the Ld. Dy. LADC for the applicant/accused that the applicant/accused could not appear on the subsequent date mentioned in the order dated 17.10.2025 due to the

above reason and subsequently, the wife of the applicant/accused expired in August 2025 and applicant/ accused was in shocked condition and was in mental trauma. It is further submitted that the applicant/accused has to take care of his three minor children and old and aging widow mother.

4. It is further submitted by the Ld. Dy. LADC for the applicant/accused that **on 17.10.2025, applicant/accused himself appeared before the Ld. Trial Court and he was taken into custody** by the order of Ld. Trial Court. It is further submitted that the applicant/accused moved an application for regular bail which was dismissed by the Ld. Trial Court on 20.11.2025. It is further submitted that **nothing has been recovered** from the possession of the applicant/accused and whatever has been alleged to be recovered is planted. It is further submitted that the **complainant has been examined before the Ld. Trial Court on 23.02.2026** and the **complainant has not even identified the applicant/accused** during his deposition before the court. In support of her arguments, Ld. Counsel for the applicant/accused has relied upon the judgment of Hon'ble Apex Courts in the case titled **Sanjay Chandra Vs. CBI, (2012) 1 SCC 40 and Arnesh Kumar Vs. State of Bihar**. It is prayed that applicant/accused may kindly be released on regular bail.

5. Ld. Addl. PP for the State has strongly opposed the bail application on the ground that during the course of investigation, a mobile phone was recovered from crime scene and from its call details, it was found that the same was registered in the name of mother of the present applicant/ accused and the mobile was used by the applicant/accused Rehan. It is further submitted that at the instance of present applicant/accused, his associate Asraf Ali @ Pappy and Md. Parvez were also arrested in the present case. It is further submitted that during the trial of the case, applicant/accused

has concealed himself and deliberately avoided appearance before the court. It is further submitted that **vide order dated 14.08.2025, process u/s 82 Cr.PC was issued against the applicant/accused by the Ld. Trial Court for 17.10.2025, on which date applicant/accused appeared and was taken into JC.** It is further submitted that as per the Previous Involvement Report, **applicant/accused is involved in 13 other cases** except the present FIR. It is prayed that bail application may kindly be dismissed.

6. I have heard the submissions made by the Ld. Addl. PP for the State and Ld. Counsel for the applicant / accused.

7. Considering the facts and circumstances, custody period of the applicant/accused, the fact that complainant has already been examined who stated that *“he had not seen the thieves who had committed theft in his shop as the theft took place in his absence”* and the fact that remaining witnesses are police officials, as such, I am of the considered view that no further custodial interrogation of the applicant/accused is required and since trial will take considerable time, hence, in the interest of justice, the bail application is allowed and the applicant / accused **Rehan @ Mohd. Rehan s/o Md. Muslim** is admitted to **regular bail** on furnishing personal bond in the sum of Rs. **10,000/-** (Rupees Ten Thousand only) with one surety in the like amount, to the satisfaction of concerned Ld. JMFC/ Link JMFC/Duty JMFC and subject to the following conditions :-

I. He shall not tamper with the evidence and shall regularly appear in the court during the trial;

II. He shall not contact the complainant, other witnesses and shall not pressurize them, induce them or extend any kind of threat to them; and

III. In case of change of his address, he shall intimate the same to the SHO concerned and the court.

8. The bail application is disposed off accordingly. The observations made while disposing off the present application shall not tantamount to the expressions on the merits of the case.
9. Copy of this order be given dasti.

(Rakesh Kumar-IV)
ASJ (Electricity) - 01,
Central/Tis Hazari Courts/Extn. Block/
Delhi/27.02.2026 ^(ts)