

21.07.2026

Present : Sh. L.D. Singh, Ld. Sub. Addl. PP for State.
Sh. Manish Chaudhary and Gargi Bhadana, Ld. Counsel for
accused/applicant.
Inspt. Neeraj Kumar in person.
IO/SI Bhag Singh in person.

Today, the matter is fixed for consideration and arguments on
regular bail application u/s 483 BNS moved on behalf of accused/applicant.

Arguments heard.

BRIEF FACTS

1. The present FIR was registered on the complaint of complainant dated 19.06.2026 wherein she has alleged regarding theft of jewellery articles and cash amount of Rs.40,000/- from her almirah. It has been alleged that some renovation / repair work was being carried out at her premises under the contractor Munnawar Hussain @ Bablu and he had engaged workers including the present applicant/accused who had access to the flat of the complainant on 16.05.2026, 17.05.2026 and 18.05.2026.

INVESTIGATION BY THE IO

2. During investigation IO apprehended the accused persons and recorded their disclosure statement, accused/applicant was apprehended. He joined investigation and was subsequently arrested. Further the accused/applicant has disclosed the name of co-accused Azad @ Bathna who is still absconding and remaining stolen property is yet to be recovered and

further it was accused Azad @ Bathna who had committed the theft and all the stolen property is in his possession. Also accused Munawar Hussain @ Bablu and co accused Muzaffer are in custody and other accused persons are evading the process of law and are absconding also the investigation is till pending and chargesheet has not filed.

ARGUMENTS ON BEHALF OF ACCUSED

3. It has been argued by Ld. Counsel for accused that accused is in custody since 19.06.2026 and has already cooperated in the investigation of the present matter. Further, no recovery is required to be effected from the accused and he is a poor labourer and does not have previous criminal antecedent. It is further argued that he be granted bail as he had not committed the offence.

ARGUMENTS ON BEHALF OF STATE

4. On the other hand, it has been argued by Ld. Addl. PP for the State that there are specific allegations against accused/applicant and stolen amount is yet to be recovered and the investigation in the present matter is at nascent stage and therefore, the bail application of accused/applicant is required to be rejected.

5. Submissions heard. Application perused.

COURT OBSERVATION

6. This is the **second bail application** of accused/ applicant. Accused/applicant Rustam S/o Sh. Jabbar is in JC since 19.06.2026. Further,

the investigation qua the accused/applicant has already been completed and no custodial investigation is required. The accused/applicant does not have previous involvement and is a first time offender. Accused/applicant has cooperated during investigation. Considering the aforesaid factual matrix and nature of offence, the period of detention of applicant/ accused for the alleged offence and also other circumstances of this case, no purpose will be served by keeping applicant/accused in custody. **In these circumstances, applicant/ accused Rustam S/o Jabbar, is admitted to bail on his furnishing personal bond and surety bond in the sum of Rs.10,000/- with one surety of like amount, subject to the satisfaction of concerned Court/ Ld. Link JMFC/ Ld. Duty JMFC.**

The bail is also subjected to following conditions :-

1. Accused will not threaten complainant and other prosecution witnesses.
2. Accused will not tamper with evidence collected by police.
3. Accused will not repeat the offence in future and shall join investigation as and when called upon by the IO and cooperate in the investigation of the present matter.
4. Accused will keep his mobile phone in switch on mode till the adjudication of the case and will furnish it in the personal bond. Similarly, surety will also keep his mobile phone in switch on mode till the adjudication of the case.

Order Dasti.

[Sheetal Chaudhary Pradhan]
ASJ-02, South-East/Saket/Delhi
21.07.2026 _(vk)