

BAIL MATTER No. 1214/26
State Vs. PIYUSH
FIR No.168/2026
PS :KAPASHERA
U/s :309(4)/311/3(5) BNS

08.07.2026

Present: Sh. K.S Chaudhary, Ld Counsel for the accused
/applicant
Sh Girish Manhas, Ld Addl. PP for the State.
IO SI Kanwar Singh in person

***This is an application filed by the applicant/accused
Piyush seeking bail.***

Before dealing with the grounds taken by the applicant in the present application and before considering the merits of the present application, it is imperative for this court to go through the case of the prosecution.

Briefly stating it is the case of the prosecution that on 06.04.2026 at about 12:45 AM when the complainant was returning to his house on foot after finishing his job and when he reached just before Pushpanjali Farm Houses main gate, four persons came on scooty from behind and just stopped 5 meters ahead of him. It is further the case of the prosecution that two persons out of the said persons came to the complainant and shown him knife and robbed him of his purse containing Rs 4000/- and Aadhar Card and thereafter fled from the spot. It is further the case of the prosecution that on 09.04.2026 on identification of the complainant, the co-accused Rohan Kumar and the CCL 'S' were apprehended in the present case and from

the possession of the co-accused Rohan, Aadhar card of the complainant was recovered and subsequently the applicant/accused Piyush was also arrested.

It is submitted by the Ld Counsel for the accused/applicant that the applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant was arrested on 09.04.2026 and is in judicial custody since then. It is argued that the investigation has already been completed and charge-sheet has been filed before the concerned Court and therefore, custodial interrogation of the applicant is no longer required. Ld. Counsel for the applicant /accused further submits that all alleged recoveries have already been effected during investigation and the purse and Aadhaar Card of the complainant, has already been recovered and seized. It is also submitted that the scooter allegedly used in the commission of offence has also been recovered and taken into police possession. It is thus contended that no further recovery remains to be effected from the applicant.

It is further submitted that the applicant is a young person aged about 18 years and has no previous criminal antecedents. It is further contended that the applicant is a first-time offender and has deep roots in society. It is also submitted that as per the prosecution case itself, the alleged share attributed to the applicant was Rs.1,000/-, which is stated to have already been spent. It is argued that the trial is likely to take considerable time and continued incarceration of the applicant would amount to pre-trial punishment.

Ld. Counsel for the applicant further submits that the applicant undertakes to appear before the Court on each and every date of hearing and also undertakes not to tamper with evidence and not to contact, influence, threaten or induce any witness in any manner whatsoever. It is further contended that the co-accused Rohan has already been granted bail by this court vide order dated 09.06.2026. *According, it is prayed that the applicant/ accused be released on bail.*

Conversely, Ld. Addl. PP for the State assisted by the IO has opposed the bail application. It is submitted that the allegations against the applicant are serious in nature and therefore, he is not entitled to concession of bail. *Accordingly, it is prayed that the bail application of the applicant be dismissed.*

On court inquiry, IO submitted that the applicant is the only remaining accused who is in custody. The IO has also not disputed that the charge-sheet has already been filed and the investigation qua the present applicant is substantially complete.

I have heard Ld. Addl. PP for the State, Ld. Counsel for the applicant/accused and the IO. Further I have also carefully perused the record.

The allegations against the applicant are no doubt serious. However, seriousness of allegations by itself cannot be the sole ground to deny bail, particularly where investigation has been completed, charge-sheet has been filed, material recoveries have already been effected and the accused is not shown to be required for any further custodial interrogation.

In the present case, the applicant has been in custody

since 09.04.2026. Further the charge-sheet has already been filed and the alleged purse, Aadhaar Card and scooter have already been recovered/seized. Furthermore, no recovery is stated to be pending from the applicant and apparently the applicant is young offender and admittedly has no previous criminal involvement.

Therefore, keeping in view the totality of facts and circumstances of the present case, the applicant/accused Piyush is admitted to regular bail on furnishing personal bond in the sum of Rs. 15,000/- with one surety in the like amount to the satisfaction of the concerned Ld. JMFC/Link Court/Duty Magistrate, subject to the following conditions:

- i. The surety shall be a resident of Delhi/NCR, subject to verification and satisfaction of the concerned Court.***
- ii. The applicant shall appear before the concerned Court on each and every date of hearing unless exempted by the Court.***
- iii. The applicant shall join investigation as and when directed by the IO and shall cooperate in further investigation, if any.***
- iv. The applicant shall not directly or indirectly contact, threaten, induce, influence or pressurise the complainant or any prosecution witness in any manner whatsoever.***
- v. The applicant shall not tamper with evidence in any manner.***
- vi. The applicant shall furnish his current residential address and mobile number to the IO as well as to the Court at the time of furnishing bail bond.***
- vii. The applicant shall keep his mobile number active and operational at all times and shall not change the same without prior intimation to the IO and the***

Court.

viii. The applicant shall not change his residential address without prior intimation to the IO and the Court.

ix. The applicant shall not leave India without prior permission of the concerned Court.

x. The applicant shall not indulge in any similar offence or any unlawful activity during the period of bail.

Needless to say, violation of any of the aforesaid conditions shall entail cancellation of bail of the accused / applicant in accordance with law and in such eventuality, the IO/State shall be at liberty to move an appropriate application for cancellation of bail of the applicant/ accused.

Nothing stated herein shall be construed as an expression of opinion on the merits of the case.

The bail application stands disposed of accordingly.

Copy of this order be given dasti to Ld. Counsel for the applicant/accused, as prayed.

**(Ravinder Singh - II)
ASJ-05/South-West District,
Dwarka/ Delhi/08.07.2026**