



2026:DHC:5393



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 06.07.2026

BAIL APPLN. 2444/2026 & CRL.M.A. 18897/2026

SH DHANUSH RAJ

.....Petitioner

Through: Ms. Nisha Gaur and Ms. Annu
Poonia, Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State
with ASI Narender

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 41/2026 of Police Station Nihal Vihar for offence under Section 309(4)/311/317(2)/3(5) BNS.

2. Broadly speaking, the allegation against the accused/applicant is that he along with his co-accused Sourav committed robbery by threatening the victim with a blade. As per prosecution case, both accused persons were on a motorcycle and after threatening the victim with a blade, took out purse from his pocket containing cash Rs. 6,500/- and some documents. Further, it is alleged that when the accused persons were fleeing away, the victim



clicked a photograph which depicts the registration number of motorcycle of the present accused/applicant. On the basis of the said registration number, the accused persons were arrested. The TIP pertaining to the present accused/applicant was successful.

3. Learned counsel for accused/applicant submits that the IO, present in Court had been demanding bribe from the accused/applicant. Further, it is alleged by learned counsel for accused/applicant that even Reader of the Court of Sessions started demanding money so on complaint of the counsel for the accused/applicant, CBI registered a case and arrested the Reader. It is further submitted by learned counsel that in the said case, CBI also seized mobile phone of the IO. On merits, it is contended by learned counsel that it is not possible for a robbed person to be so alert that he would click picture of the motorcycle with such accuracy that its registration number gets depicted. As regards the TIP, it is pointed out by learned counsel that the present accused/applicant was arrested on 11.01.2026 while TIP was conducted on 27.01.2026. It is submitted by learned counsel that prior to the TIP of the present accused/applicant, TIP of co-accused of Sourav was conducted in which the present accused/applicant was made to stand at Sl. No. 2 (*Annexure-A10*), which vitiates the TIP proceedings.

4. Learned APP assisted by IO/ASI Narender accepts notice and submits that apart from recovery of motorcycle of the accused persons, there is nothing to oppose.



5. Most importantly, the photograph of the motorcycle of the accused persons which forms basis of the entire prosecution case has not seen light of the day. It is not just difficult to believe that a person robbed with the use of blade would be so alert that he would take out his mobile phone and click picture of the fleeing motorcycle with such accuracy as to depict even the registration number thereof, it also sounds difficult to accept that the robbers who take out purse of the victim from his pocket would not snatch the mobile phone as well.

6. Of course on the above aspect, Trial Court shall take an independent view on the basis of evidence that comes up during trial. But for present purposes, I find no reasonable material to deny further liberty to the accused/applicant.

7. Therefore, the bail application is allowed and the accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Trial Court. Pending application also stands disposed of.

8. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

JULY 06, 2026

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