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

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Date of Decision: 08.09.2026# **CNR No. DLHC010423772026**+ **BAIL APPLN. 3740/2026 & CRL.M.A. 27781/2026**

SANDEEP KUMAR

.....Petitioner

Through: Ms. Indu Kaul and Mr. Abhishek
Sahu, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Mahesh
Ms. Rajani and Mr. Jalaj Gulyani,
Advocate for complainant *de facto***CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 108/2026 of PS Rajouri Garden for offence under Section 140(2)/309(6)/311/3(5) BNS.
2. Broadly speaking, the prosecution case is as follows. On 19.03.2026, the complainant *de facto* Sagar Sharma alongwith his brother Manik went to metro pillar no. 167, Ring Road, Rajouri Garden to collect payment against



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their gold and diamond jewellery from Harish Sharma. But instead of coming personally, Harish Sharma sent his nephew Prince. Once the money was delivered, the present accused/applicant and the co-accused forcibly entered the Range Rover car of the complainant *de facto* and threatened the complainant *de facto* and Manik at gunpoint, after which the complainant *de facto* and Manik were abducted in the same Range Rover towards GT Karnal Road. The accused/applicant and co-accused represented themselves as police officers and not just wrongfully confined the complainant *de facto* and Manik but also assaulted and abducted them. In the process of the said abduction, the accused/applicant and co-accused compelled the complainant *de facto* to call up his family and direct them to pay money for their release. The accused/applicant and the co-accused also robbed the cash amount of Rs. 40,00,000/-, mobile phones, an Apple watch, jewellery articles and even the Ranger Rover after abandoning the complainant *de facto* and Manik near Shahabad Area.

3. Learned counsel for accused/applicant submits that there is no cogent evidence to convict the accused/applicant and co-accused. It is submitted by learned counsel that in the proceedings for recovery of the gun allegedly used by the co-accused, no public witness was joined and no videography was carried out. It is also contended that there is no evidence collected by the IO to show that the bag allegedly robbed contained Rs.16,34,000/-. Further, it is submitted by learned counsel for accused/applicant that TIP turned successful because the accused/applicant was not kept in muffled face and was produced for TIP after 11 days of arrest. It is also submitted by



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learned counsel that according to chargesheet, the MLC of the complainant *de facto* shows only simple injury. It is contended on behalf of accused/applicant that detaining him in jail would be violative of his fundamental rights under Article 14 and 21 of the Constitution of India.

4. Learned APP for State, assisted by IO/Inspector Mahesh, accepts notice and strongly opposes the bail application. It is contended that the co-accused absconded after dismissal of his anticipatory bail and is shortly being declared proclaimed offender. Learned APP for State also submits that the gravity of offence cannot be ignored. Further, the IO has shown me in his laptop the CCTV footage depicting the Range Rover at one of the tolls and it is submitted by him that the said CCTV footage as well as other footages have been sent to FSL and the results are awaited after which supplementary chargesheet shall be filed. It is also submitted by learned APP for State that TIP of the accused/applicant was successful and even TIP of the allegedly robbed articles was successful.

5. According to both sides, the charge is yet to be framed. The prosecution apprehends that if granted bail at this stage, the accused/applicant would pressurize or threaten the complainant *de facto*.

6. As also submitted by both sides, none of the accused persons except Harish has been granted bail and rather, one of the accused persons namely Gurpreet Singh Randhawa @ Chetan is absconding. As regards accused Harish, the only allegation is that it is he who conveyed the relevant information to facilitate the alleged abduction and robbery.



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7. At this stage, learned APP for State, on instructions of IO also submits that the present accused/applicant is a vagabond and even his Aadhar Card has been found to be fake.
8. Keeping in mind the nature of the alleged offence as described above in which the accused/applicant and co-accused impersonated as police officials and committed abduction of the complainant *de facto* and his brother, followed by robbery in the manner described above, I do not find it a fit case at this stage to grant bail.
9. The bail application and the accompanying application are dismissed.
10. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant immediately.

GIRISH KATHPALIA
(JUDGE)

SEPTEMBER 08, 2026/as