$~11

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

% *Date of Decision: 16.02.2026*

+ **BAIL APPLN. 347/2026 & CRL.M.(BAIL) 179/2026**

> SAURABH .....Petitioner
>> Through: Mr. Parkishit Mahipal, Advocate

> versus

> STATE NCT OF DELHI .....Respondent
>> Through: Mr. Hemant Mehla, APP for the State with IO/SI Bhag Singh,

CORAM: **JUSTICE GIRISH KATHPALIA**

J U D G M E N T **(ORAL)**

1. The accused/applicant seeks anticipatory bail in case e-FIR 80013271/2025 of PS Okhla Industrial Area, Delhi for offence under Section 303(2) BNS.

2. Broadly speaking, the allegation against the accused/applicant is that he pick-pocketed mobile phone of the complainant *de facto* and illegally withdrew money. As per prosecution, by the time status report came to be filed before the Court of Sessions, the IO had unearthed unauthorized transactions to the tune of Rs.1,20,565/- across bank accounts of the accused/applicant. The investigation in the present case is being carried out by way of technical and electronic surveillance to ascertain if there are more victims, similar to the present complainant *de facto*.

3.   Learned counsel for accused/applicant contends that there is no clarity in the investigation, because the Wi-Fi connection allegedly used is registered in the name of mother of the accused/applicant and not in the name of the accused/applicant, who is a student of law. It is also contended that out of two more cases of mobile phone theft, the accused/applicant stands acquitted in one. It is contended that during the period from 01.02.2025 (*when the mobile phone was allegedly stolen*) to 04.02.2025 (*when the e-FIR was lodged*), there was no loss of money from the bank accounts of the accused/applicant.

4.   On the other hand, learned prosecutor assisted by IO/SI Bhag Singh strongly opposes anticipatory bail application on the ground that investigation is continuing and the bank records of the accused/applicant reflect multiple transactions even during the period from 01.02.2025 to 04.02.2025, which needs to be explained by the accused/applicant through custodial interrogation. Learned APP has taken me through bank account statements of the accused/applicant reflecting multiple transactions of cash deposits, each transaction of more than of Rs. 80,000/-, which are unexplainable even by mother of the accused/applicant present today in Court.

5.   Learned counsel for accused/applicant submits that he is engaged in the business of sale and purchase of cars, so he made those cash deposits in his bank accounts. At the same time, the accused/applicant is stated to be a law student. Besides, not a shred of document has been shown to reflect that

he is indulged in any such business. The IO is investigating on those entries and nothing prevented the accused/applicant to give that material to the IO.

6. Most importantly, the IO has placed before me the investigation record according to which, a notice dated 05.12.2025 was served on the accused/applicant, calling him upon to furnish 07 articles of information, including his bank account details, in response to which the accused/applicant in his own handwriting submitted a reply dated 07.12.2025 stating that he holds no bank account. This reply submitted by the accused/applicant to the IO in his own handwriting is completely untruthful, since by way of technical investigation through PAN Card and mobile phone, the IO has unearthed two bank accounts of the accused/applicant, one of which is with Union Bank of India while the other is with Punjab National Bank. Statement of accounts of both those banks are on investigation file and the same reflect unexplained cash deposits of enormous amount. Where the accused gives false reply to a notice issued by the IO and that reply also is undisputedly in his own handwriting, the need expressed by the IO for custodial interrogation is not unjustified.

7. Considering the above circumstances, I do not find it a fit case to grant anticipatory bail. The anticipatory bail and the accompanying application are dismissed.

GIRISH KATHPALIA
(JUDGE)

FEBRUARY 16, 2026
'rs'