



2025:DHC:5658



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

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*Date of Decision: 16.07.2025*

+ **BAIL APPLN. 2589/2025**

ANKIT

.....Petitioner

Through: Mr. Manish Sahay, Advocate

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for the  
State with SI Jatin, PS Tilak Nagar

**CORAM: JUSTICE GIRISH KATHPALIA**

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

1. The accused/applicant seeks regular bail in case FIR No. 219/2025 of PS Tilak Nagar for offences under Section 309(4)/309(6)/311/3(5) BNS and 25/27/54/59 Arms Act.
2. Learned APP assisted by IO/SI Jatin accepts notice.
3. On behalf of the accused/applicant, it is contended that he is innocent and has been falsely implicated in this case. It is also contended that the witnesses could not identify the accused/applicant in TIP proceedings.
4. After discussing with the IO, learned APP expresses, in all fairness, no serious objection to this bail application.



5. According to the prosecution case, on 13.04.2025 at around midnight, when the injured along with his friend was sitting near Kalu Paneer Bhandar, Subzi Mandi, three unknown boys came on a scooter and demanded money, and on being resisted, one of them announcing his name as Sagar @ Champa took out a pistol and forcibly robbed Rs. 5000/- from the injured and the complainant *de facto*. In the course of snatching money, the assailant fired upon the injured and then they fled.

6. So far as the accused/applicant is concerned, the allegation is that the vehicle used in the alleged offence by the robbers was recovered from him. Admittedly, the accused/applicant is not one of those three robbers.

7. The IO has not brought the original investigation file containing Case Diaries. Only a photocopy of investigation file has been brought. The Case Diary is of vital significance to authenticate the investigation. In the past few weeks, it is being observed that the investigating officers do not bring the case diaries. That has started after I started examining the Case Diaries in some cases, where suspicion arose. Learned APP assures that henceforth all investigating officers shall produce the Case Diaries for examination by the Court.

8. I have examined the photocopy of the investigation file. It would be interesting to note that according to the seizure memo of the scooter allegedly used in the alleged robbery, it is stated to have been recovered underneath dried plants in a park and not in the residential premises of the accused/applicant or otherwise from exclusive possession of the accused/applicant.



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9. Considering the above circumstances, the application is allowed and accused/applicant is directed to be released on bail subject to his furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the learned trial court.

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

**GIRISH KATHPALIA  
(JUDGE)**

**JULY 16, 2025/as**