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

% *Date of Decision: 27.11.2026*

\# **CNR No. DLHC010998182025**

\+ **BAIL APPLN. 4825/2025**

AJIT KUMAR ALIAS MEDDY .....Petitioner

Through: Mr. Vishwajeet Kumar, Mr. Rakesh Kumar and Mr. Ramya Rai, Advocates.

versus

STATE GOVT. OF NCT OF DELHI .....Respondent

Through: Mr. Amit Ahlawat, APP for State.
Mr. Abhay Kumar, Advocate (*through video conferencing*) for complainant.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 67/2020 of PS Kanjhawala for offence under Section 302/120B/201/34 IPC and Section 25 of Arms Act.

2. After last adjournment, status report was filed. I have heard learned counsel for accused/applicant and learned APP for State assisted by

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Inspector Ravinder. The Investigating Officer is stated to be now posted with NIA in Gujarat and the SHO is stated to be on leave.

3. Broadly speaking, the allegation against the accused/applicant is that he conducted reconnaissance of the area after which the deceased Anchil was shot dead at behest of co-accused Parvesh, who had enmity with Anchil.

4. Learned counsel for accused/applicant submits that the accused/applicant is innocent but is in jail for past 06 years 10 months without any cogent evidence. It is further submitted that the only material against the accused/applicant is the alleged confessional statement of co-accused, recorded in custody.

5. Learned APP for State, assisted by Inspector Ravinder, submits that the evidence against the accused/applicant is his location, retrieved through his mobile phone and the CCTV footage of the area of incident and Call Detail Records of his connectivity with the other accused persons. There is no other evidence against the accused/applicant.

6. So far as the telephonic connectivity is concerned, the call details relied upon by prosecution are not accompanied with Customer Application Form (CAF) of either of the mobile phones. Besides, as repeatedly held, merely the Call Detail Records cannot be treated as incriminating evidence unless any call was intercepted to find out what was being spoken between

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two persons.

7. As regards the location of the accused/applicant, as retrieved from his mobile phone, this piece of evidence is to support the CCTV footage, as both these pieces of evidence would show presence of the accused/applicant near the place of the incident. Inspector Ravinder has shown me in his mobile phone, a copy of the said CCTV footage. The said footage depicts a green colour tempo parked and one person (*allegedly the accused/applicant*) casually walking across the road and exiting the frame. The said person is not looking around to examine the area, for example the trees around, any pole around, any CCTV cameras around or any other landmark, which is generally taken note of by a person carrying out reconnaissance of the area. *Prima facie*, I do not find that person depicted in the CCTV footage to be carrying out reconnaissance of the area. However, it is made clear that nothing observed above shall be read to the prejudice of either side by the trial court.

8. There is no other evidence against the accused/applicant.

9. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty

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Magistrate.

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

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GIRISH KATHPALIA
(JUDGE)

NOVEMBER 27, 2026/*ry*

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