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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010845942025
+ BAIL APPLN. 4143/2025, CRL.M.A. 32217/2025
SIDDHARTH SINGH @ CHANDAN THROUGH PAIROKAR
JYOTI KUMARI Applicant
Through: Mr. Pulkit Agarwal, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI) AND ANR
.....Respondents
Through: Mr. Satish Kumar, APP with Ms.
Divya Bakshi, Ms. Upasna Bakshi
and Mr. Gourav Singh, Adv.
Mr. Sarthak Karol, Adv.
(DHCLSC) with Ms. Neelakshi
Bhadauria and Mr. Shashank
Sharma, Adv. for complainant

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **07.08.2026**

1. By virtue of the present bail application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of regular bail in FIR No.107/2020 dated 05.05.2020 registered at PS.: Prashad Nagar under *Sections 363/328/354/354(A)/506* of the Indian Penal Code, 1860 (**IPC**) read with *Section 8* of Protection of Children from Sexual Offences Act, 2012 (**POCSO**).
2. Written synopsis, filed by learned counsel for complainant, is taken on record.
3. The facts leading to filing of the present FIR are such that the complainant became acquainted with the applicant through Facebook in



November 2018, whereafter they became friends. Thereafter, in July 2019, the applicant, alongwith his friend Deepak, took the complainant from Bupa Nagar, Shiv Mandir to a hotel in Gurugram, where he gave her an adulterated drink. While she was incapacitated, the applicant touched her inappropriately on her chest, hand, and waist without her consent, as also assaulted her. Following the said incident, the complainant stopped all contact with the applicant, after which, he began threatening her to kill her mother and brother as also blackmailed her by threatening her to circulate her obscene photos and videos online. Over the time, the applicant began pressuring the complainant to communicate with him against her wishes, and he also gained unauthorized access to her Facebook account and posted her photographs without her consent.

4. Thereafter, investigation was carried and chargesheet was filed by the Police on 01.07.2020, followed by a supplementary chargesheet on 18.10.2020. Pursuant thereto, the learned Trial Court *vide* order dated 08.06.2020, framed charges against the applicant under *Sections 323/342/354/354(A)/506* of the IPC read with *Section 10* of POCSO, followed by framing of additional charges *vide* order dated 06.12.2023 under *Sections 377/376(2)(n)/376D* of the IPC read with *Sections 5(g)/5(l)* of POCSO.

5. In this factual backdrop, this Court has heard learned counsel for the applicant, learned APP as also learned counsel for the complainant/ victim and perused the documents and materials on record.

6. At the outset, though this Court is mindful of the fact that the allegations levelled against the applicant are grave and serious in nature and the discretion to grant bail ought to be exercised judiciously, however, this alone cannot be a ground to reject such an application.



7. As borne out, although charges against the applicant were initially framed under *Sections 323/342/354/354(A)/506* of the IPC read with *Section 10* of POCSO by the learned Trial Court *vide* order dated 08.06.2020, wherein the maximum period of punishment attracted is not more than *seven* years of imprisonment, out of which, he has already undergone more than half the period. Also, the allegations *qua Sections 377/376(2)(n)/376D* read with *Sections 5(g)/5(l)* of POCSO have only been levelled at a later stage i.e. at the stage of examination-in-chief of the complainant, which were wholly absent in her statements under *Section 161* and *Section 164* of the Code of Criminal Procedure, 1973. The said different versions raises a doubt in the mind of this Court, and cannot be brushed aside especially at the time of adjudication of the present bail.

8. Moreover, the applicant has been languishing in judicial custody since more than *three years* and *nine months* as on date and as per the Nominal Roll, his conduct inside jail has been '*Satisfactory*'. Also, out of the *twenty (20)* prosecution witnesses only *three (3)* witnesses have been examined till date, which include the material witness namely the complainant herein. Thus, conclusion of trial is likely to take some time. As such, continued incarceration of the applicant is unwarranted, particularly, whence the investigation is already complete. As such, taking note of the overall facts and circumstances involved herein, the applicant has *prima facie* made out a case for grant of regular bail.

9. Accordingly, the applicant be released on regular bail in FIR No.107/2020 dated 05.05.2020 registered at PS.: Prashad Nagar under *Sections 363/328/354/354(A)/506* of the IPC read with *Section 8* of POCSO, subject to him furnishing a personal bond in the sum of



Rs.50,000/- (*Rupees Fifty Thousand Only*) along with one surety of the like amount by a family member/ friend having no criminal case pending against him and subject to the satisfaction of the learned Trial Court, and further subject to the following conditions:

- i. Applicant shall not leave the NCT of Delhi without prior permission of the concerned Court and shall ordinarily reside at the address as per TCR.
 - ii. Applicant shall surrender his Passport, if any, to the IO within *three days* of his release.
 - iii. Applicant shall join and participate in the investigation as and when called by the IO.
 - iv. Applicant shall provide all his mobile numbers to the IO concerned which shall be kept in working condition at all times.
 - v. Applicant shall not indulge in any criminal activity and shall not contact any of the prosecution witnesses, or tamper with the evidence of the case.
10. A copy of this order be sent to the learned Trial Court and concerned Jail Superintendent for necessary information and compliance.
11. Needless to say, expression of view(s) on the merits, if any, are solely for the purposes of adjudication of the present application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J

AUGUST 7, 2026/Ab/DA