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

+ BAIL APPLN. 910/2022

RAVI KISHAN

..... Petitioner

Through: Mr. Pankaj Srivastav and Mr.
Summinder Paswan, Advocates.

versus

STATE GOVT. NCT OF DELHI

..... Respondent

Through: Mr. Aashneet Singh, APP for State
with SI Sonu Kumar PS Sultan Puri,
Delhi.

Ms. Astha, Advocate (DHCLSC) for
prosecutrix.

+ BAIL APPLN. 1041/2023

RINKI SONI

..... Petitioner

Through: Mr. Pankaj Srivastav and Mr.
Summinder Paswan, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Aashneet Singh, APP for State
with SI Sonu Kumar PS Sultan Puri,
Delhi.

Ms. Astha, Advocate (DHCLSC) for
prosecutrix.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

07.02.2024

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1. By way of present bail applications filed under Section 439 Cr.P.C., the petitioners/applicants seek regular bail in FIR No.480/2018 registered under Sections 328/366A/370/372/120B/376 IPC & Section 4 POCSO Act registered at P.S. Sultanpuri, Delhi.

2. As common submissions have been addressed from both the sides, the



bail applications are taken up for consideration together and disposed of by this common order.

3. Learned counsel for the petitioners/applicants states that the applicants have been in custody since the year 2018 and that all the material witnesses including the child victim have been examined. He further states that one of the co-accused namely *Abhishek* has since been released on bail. It is also stated that there are various contradictions in the previous statement as well as in the testimony of child victim wherein she has stated that while she was allegedly kept in the house of the petitioners, she did not make any complaint to her family and that she also helped in the household chores. It is further submitted that insofar as the applicant Ravi Kishan is concerned, it is stated that the MLC shows that the applicant is incapable of performing sex. It is stated that the applicant Ravi Kishan is also involved in another case being FIR No.727/2018 registered under Sections 323/344/366/366A/372/376/120B IPC read with Section 3, 4, 5, 7 of ITP Act at PS Aman Vihar, Delhi wherein the applicant Ravi Kishan has already been released on bail by the Trial Court vide order dated 29.08.2023.

4. Mr. Aashneet Singh, APP for State duly assisted by Ms. Astha, learned counsel appearing for the prosecutrix has opposed the bail applications. It is stated that the child victim has appeared as PW-1 and that there is consistency in her earlier statement as well as in her testimony in the Court wherein she has described the role of present applicants. It is further stated that the child victim has not only identified the present applicants but has also identified the spa owner namely *Ashok Goyal*, who has also been arrayed as an accused. He further stated that the doctor who has appeared as PW-11, has clearly stated that on medical examination of applicant *Ravi*



Kishan, it could not be said that he incapable of performing sex.

5. Considering the fact that the child victim in her testimony has not only identified the applicants but also given specific details and role of the present applicants, I find no ground to entertain the present applications and they are accordingly dismissed.

MANOJ KUMAR OHRI, J

FEBRUARY 7, 2024/rd