



\$~66

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

+ **BAIL APPLN. 1208/2024**

VIKASH SHEKHAWAT

..... Petitioner

Through: **Mr. Sunil Dalal, Senior Advocate**
with **Mr. C.M. Sangwan, Advocate.**

versus

**THE STATE GOVT. OF NCT
OF DELHI AND ANR**

..... Respondents

Through: **Mr. Nawal Kishore Jha, APP for State**
SI Ritu, P.S. Nangloi
Mr. Raghav Jagga, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

08.05.2024

%

1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.47/2024 registered under Sections 376/506/323 IPC at P.S. Nangloi, Delhi.

2. Learned Senior Counsel for the applicant states that the applicant has been in custody since 18.01.2024 and that the charge-sheet having been filed, the applicant is no longer required for any investigation.

On merits, it is stated that though initially a complaint was filed on 17.01.2024 which formed the basis of the instant FIR which came to be registered on the said date. However, subsequently, the prosecutrix has made improvements in her testimony. In the FIR, it has been alleged that the complainant became friendly with the applicant in the year 2017, whereafter



physical relations were established. It is contended that the present case is based up on a promise to marry and there is no corroboration to the allegations that after the complainant's marriage, any relations were established. Learned Senior Counsel further contends that though charge-sheet has been filed, it does not state as to whether mobile phone of the complainant was seized.

3. The bail application is resisted by learned APP for State duly assisted by learned counsel for the complainant.

4. I have heard learned counsel for the parties and perused the record.

5. On a specific query, learned APP on the instructions from the IO[,] states that mobile phones of the applicant as well as the complainant have been seized and sent to FSL. It is stated that on examining the pen-drive given by the friend of the complainant, Section 323 IPC has been added. In the FIR, the complainant has alleged that though she had known to the applicant since the year 2017 and relations were established on the promise to marry, however, subsequently,. the complainant got married to one 'N' on 14.06.2021. The complainant has alleged that thereafter, the applicant started blackmailing her by sending her inappropriate photographs and videos through WhatsApp and Instagram, and forced her to make physical relations. She alleges that these videos and photographs were also seen by her husband, which has resulted in her divorce. On a query, learned APP for the State, on instruction from the IO, confirms that there are objectionable videos in the mobile phones seized.

6. Considering that there are allegations that the applicant has sent objectionable photos and videos of the complainant even after her marriage thereby forcing her to have physical relations with him, this Court finds no



ground to entertain the present bail application and the same is accordingly dismissed.

MAY 8, 2024/rd

MANOJ KUMAR OHRI, J