



\$~2

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

+ **BAIL APPLN. 4053/2023**

SAURAV BABBAR

..... Applicant

Through: Mr.Tarun Garg, Adv.

versus

**STATE GOVT OF NCT OF DELHI THROUGH SHO P.S.
KRISHNA NAGAR**

..... Respondent

Through: Mr.Aman Usman, APP

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

22.05.2024

%

1. This application has been filed under Section 438 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') praying for grant of bail in FIR No.537/2023, registered at Police Station: Krishna Nagar, for offence under Section 376 of the Indian Penal Code, 1860 (in short, 'IPC').
2. It is the case of the prosecution that the above FIR was registered on a complaint by the alleged victim, who is aged around 24 years, and has stated that the applicant had made physical relations with her on the promise to marry her, and is now forcing her into prostitution, and upon her refusal, is threatening to kill her.
3. During her MLC, the victim stated that the accused/applicant had made videos and taken her photographs, with which he is now blackmailing her.



4. Her statement under Section 164 of the Cr.P.C. was recorded, wherein she further stated that she had to undergo an abortion, which was forced on her by the applicant.
5. The Status Report filed by the State further indicates that the applicant was first evading arrest, because of which non-bailable warrants had to be issued against him. Thereafter, on 27.09.2023, the proceedings under Section 82 of the Cr.P.C., were also initiated against him.
6. The charge sheet and the supplementary charge sheet also stand filed.
7. This Court by its *interim* order dated 01.12.2023 had granted *interim* protection to the applicant, subject to the condition that he shall join the investigation as and when directed.
8. The learned APP on instructions submits that the applicant has joined investigation, however, he has still not furnished his mobile phone.
9. In my view, as the charge sheet already stands filed, further proceedings with respect to the consideration on whether the applicant is entitled to bail or not, can be considered by the learned Trial Court on an appropriate application being made by the applicant.
10. The *interim* protection granted to the applicant by this Court is therefore, extended for a further period of four weeks for the applicant to avail of his remedy, if so advised.
11. In the event of such an application being moved by the applicant, the learned Trial Court shall consider the same, remaining



uninfluenced by the order dated 01.12.2023 or the one passed today by this Court, on its own merits and in accordance with law.

12. The present application is disposed of in the above terms.

NAVIN CHAWLA, J

MAY 22, 2024
RN/RP

[Click here to check corrigendum, if any](#)