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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3612/2024**

NAVLESH KUMAR ALIAS LALLAPetitioner
Through: **Mr. Rishipal Singh, Advocate.**

versus

THE STATE NCT OF DELHIRespondent
Through: **Mr. Shoaib Haider, APP for State**
with W/SI Ritu, P.S. Nangloi.
Ms. Astha, Advocate for Prosecutrix.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **14.11.2024**

1. By way of the present application, the applicant seeks regular bail in FIR No.346/2022 registered under Sections 376/509 IPC and Section 6 of POCSO Act, at P.S. Nangloi, Delhi.
2. Learned counsel for the applicant submits that applicant is in custody since 14.04.2022 and the prosecutrix stands examined thus, prays that the applicant be released on regular bail.

On merits, it is stated that the present FIR came to be filed at the instance of the present applicant who informed the father of the prosecutrix of an incident of rape committed upon the prosecutrix by one *Gaurav*. It is submitted that instead of investigating the said *Gaurav*, a false case has been lodged against the present applicant. He further submits that there is a delay of about 3/4 months in registration of FIR as the first incident is stated to have occurred in November, 2021 and the last being in February, 2022.



3. Bail application is resisted by Ld. APP for the State who is duly assisted by the Ld. counsel for the complainant. It is submitted that the statement of the child victim is consistent qua the role of the present applicant and she has also explained the delay as she was threatened by the present applicant.

4. I have heard the learned counsels for the parties and perused the material placed on record.

5. A reference has been made to the statement of PW2 i.e. father of the prosecutrix to the extent that *Gaurav*'s name was disclosed by the present applicant. A perusal of the statement would show that it was the applicant himself who had stated that he was a witness to an incident of physical relations established allegedly between *Gaurav* and applicant. This aspect that *Gaurav* committed any rape is not stated by the prosecutrix or any other witness. On the other hand, the child witness has consistently stated that it was the present applicant who had committed rape upon her.

6. In view of the aforesaid discussions, I find no ground to admit the applicant on bail. Consequently, the bail application is dismissed.

MANOJ KUMAR OHRI, J

NOVEMBER 14, 2024

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