



\$~12

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 339/2023**  
**PROSECUTRIX F** .....Petitioner  
Through: Counsel (appearance not given)

versus

**STATE OF NCT OF DELHI & ANR.** .....Respondents  
Through: Mr.Sanjeev Sabharwal, APP for State.  
Mr. A.F. Faizi, Mr. Momin Fazal and  
Mr. Kashif Zafar, Advs. for R-2.

**CORAM:**  
**HON'BLE MR. JUSTICE ARUN MONGA**

**ORDER**  
**29.07.2025**

%

1. Aggrieved by grant of concession of anticipatory bail to the respondent No. 2 herein, who is an accused and under-trial in criminal proceedings arising out of FIR No. 601/2022 dated 20.12.2022 for alleged offences under Sections 376/328/506 IPC, the prosecutrix is before this Court, seeking cancellation thereof.
2. First and foremost, pertinent to note that there is no material either appended with the petition or otherwise unearthed during the period the respondent No. 2 has remained on bail for the past over more than two years.
3. Moreover, there is nothing on record to show there is either any violation of the conditions of the bail or otherwise any tempering with the evidence in any manner and/or any influencing/intimidating the prosecutrix. It does not, on the face of it, appear to be a case where this Court ought to entertain the petition, given that bail was granted way back on 06.01.2023.



4. The trial has already commenced and preventive custody is not required for any further investigation.

5. Furthermore, it transpires that the prosecution after verifying the allegations of the prosecutrix, filed a report before the learned Sessions Court, wherein it is, inter alia, stated that one day, while traveling with the accused in his car during the course of employment, he attempted to misbehave with her. When she refused his advances, he dropped her off from the car. Following this incident, the complainant did not attend the office for two to three days. Thereafter, the accused allegedly threatened her.

5.1. A few days later, the accused allegedly took the complainant to a nearby hotel and established physical relations with her after giving her a cold drink. Subsequently, the complainant became pregnant in October 2022. It is alleged by the prosecutrix that the accused gave her some medicines to induce a miscarriage, but when the miscarriage did not occur, he pressured her to undergo an abortion. The complainant refused, upon which the accused threatened her.

5.2. The complainant also stated that she had transferred ₹50,000 to the accused through Google Pay. When she asked him to return the money, the accused allegedly threatened to make certain videos viral.

5.3. However, during the investigation, the hotel where the alleged physical relations took place could not be verified, as the complainant stated that she was unwell and would join the investigation later. Even the investigation regarding the alleged transfer of money from the complainant's account could not be completed, as she did not provide her account number.

6. In view of the aforesaid report, I am of the view that the learned Sessions



Court rightly accorded the concession of bail as what seems to have weighed on his mind was that it appeared to be a consensual relationship. Even otherwise, the subsequent events did not inspire any confidence as the prosecutrix herself did not provide the requisite information in course of the investigation.

7. Resultantly, I am also of the view that concession of bail granted to the accused/respondent no.2 does not warrant any interference. The application is accordingly dismissed.

**ARUN MONGA, J**

**JULY 29, 2025/akc**