



\$~7

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

+ **BAIL APPLN. 218/2025**

SURAJ RAJPUT

.....Petitioner

Through: Ms. Mansi Joshi and Mr. Jatin
Raheja, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP for the State
with W/SI Anjali Sharma, P.S.Amb.
Nagar.
Mr. C. Adhikeshwaran and Mr.
Gaurav Dayal, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **09.07.2025**

1. This is an application under Section 483 of BNSS/439 of Cr.P.C filed by the petitioner in case FIR No. 458/2024, P.S. Ambedkar Nagar, under Section 376/377/323/506 IPC.
2. Learned counsel for the petitioner submits that it is a case of consensual relationship between two consenting adults. When husband of the prosecutrix discovered about the relationship, he forced the prosecutrix to lodge a false FIR against the present petitioner with a view to extort money from him.
3. It is further submitted that the investigation is complete, chargesheet has already been filed and charge under Section 509 IPC has since been dropped while framing charges against the petitioner. Petitioner has been in



custody since 03.09.2024. No obscene video or photographs have been recovered from the mobile phone of the petitioner. The trial may take a long time to conclude and therefore, petitioner be released on bail.

4. The bail application has been opposed by learned APP arguing that the trial is still at an initial stage and allegations against the present petitioner are grave and serious in nature, and therefore, considering the nature and gravity of allegations and severity of sentence, he is not entitled for the grant of bail.

5. An FIR under Section 376/506 IPC was registered on the complaint of the prosecutrix with allegation that after her marriage, she came in contact with the petitioner, the son of her uncle-in-law. He influenced her with his words and gained her trust. They both become friends. First time, the petitioner coerced the prosecutrix for physical relationship in Firozabad, UP in the month of January 2018. Even after, he shifted to Delhi, he continued to establish physical relationship with her at his house. Initially, the prosecutrix did not disclose the same to anyone due to fear as petitioner had recorded the obscene video clips of the physical intimacy on his mobile phone. The complainant-prosecutrix had been trying to free herself from the petitioner's clutches but he continued to threaten her of dire consequences if she resists his advances. He established physical relations with the prosecutrix at her house. At last, the complainant-prosecutrix mustered the courage to discuss the issue with her husband and subsequently lodged an FIR.

6. During medical examinations, the alleged history recorded before the doctor was that *“sexual assault and physical assault by Mr. Suraj since last 5 years. He used to hit her with fist, bite her body, used to have forceful*



intercourse without her will. He used to threaten her that if she tells anyone he will kill her, her husband, her brother. He blackmailed her based on a video recording.. Last intercourse they had was on 25.08.2024. She had her UPT positive at home on 29.08.2024. After which she took MPT pill after consulting a doctor but did not lead to any BIV expulsion.”

7. During investigation, she stated that petitioner had unnatural sex with her. The mobile phone of the petitioner suspected to have obscene data was seized and has been sent to FSL for analysis to retrieve the obscene data, if any. FSL report is still not received. In her statement under Section 183 BNSS, prosecutrix has corroborated the version of the FIR.

8. There are specific allegations against the petitioner that he had forceful physical relation with the complainant at his/her home and he had made obscene video through his mobile phone and thereafter has been blackmailing the complainant to make the video viral on the social media to coerce her having relationship with him.

9. The allegations are grave and serious in nature. Hence keeping in view the nature and gravity of allegations and the severity of the sentence, which may be imposed in case of conviction, I find no just ground for grant of bail to the petitioner at this stage. The application is therefore dismissed.

RAVINDER DUDEJA, J

JULY 9, 2025/ib