



\$~37

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

+ **BAIL APPLN. 362/2025, CRL.M.A.2566/2025 (Exemption),
CRL.M.A.2567/2025 (Exemption)**

ABHISHEK BISWAS

.....Petitioner

Through: Ms. Ritika Singh, Mr Raj Narayan,
Advocates.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Satinder Singh Bawa, APP for
the State with SI Chanchal, PS Amar
Colony.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

28.01.2025

CRL.M.A. 2565/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

BAIL APPLN. 362/2025 (for Regular Bail)

3. *The 2nd Bail Application under Section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'CrPC')/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'B.N.S.S.')* has been filed on behalf of the Petitioner, Abhishek Biswas for grant of Regular Bail in Case FIR No. 490/2022 dated 23.08.2022 under Section 328/376 of the Indian Penal Code, 1860 and Section 6 of POCSO Act, registered at Police Station Amar Colony, Delhi.
4. It is submitted that the Regular Bail Application was dismissed by this



Court *vide* Order dated 03.07.2024, on the premise that the case is almost at the end of the trial. It is submitted that, however, the trial has not proceeded further, which shows the inordinate delay in conclusion of the trial and therefore, the Bail be granted.

5. *Learned APP for the State has submitted* that the evidence of the prosecution was closed on 25.05.2024. The Statement of the accused was recorded on 04.07.2024 and since then it is the Applicant/Accused, who has been taking dates for adducing his defence evidence. It is submitted that the delay is not on account of the prosecution. Moreover, looking at the gravity of the offence, it is not a case for grant of Bail.

6. **Submissions heard and the record perused.**

7. It is evident that the Prosecution has concluded their part of the evidence and the further time in the last six months have been taken on account of the evidence being produced by the Applicant.

8. Considering the gravity of the offence and the totality of the circumstances, no case is made out for grant of Bail and the Application is hereby dismissed.

9. The Bail Application is disposed of accordingly along with the pending Applications.

NEENA BANSAL KRISHNA, J

JANUARY 28, 2025/RS