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

+ **BAIL APPLN. 578/2025**

KISHAN

.....Petitioner

Through: **Mr. Lakshay Yadav, Advocate**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Yudhvair Singh Chauhan, APP for
the State with SI Manisha Meena, PS
Maidan Garhi along with Prosecutrix
in person**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

03.03.2025

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1. The present petition filed under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks grant of interim bail in proceedings arising from FIR No. 346/2022 registered under Section 376 of the Indian Penal Code, 1860 and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at P.S. Maidan Garhi.

2. The Applicant seeks interim bail for making arrangements to clear the arrears of tuition fees of his daughter. It is asserted that since the tuition fee is not being paid, Applicant's child is unable to continue with her education. The Applicant's wife and mother are working as a house help and are not able to meet the survival expenses. Counsel for the Applicant undertakes that no further extension of the interim bail be sought on these grounds. This statement is taken on record and shall be binding on the Applicant.



3. The State has verified the fact that the tuition fee of the child are in arrears.
4. The Prosecutrix who is present in Court along with the Investigating Officer, has also been heard.
5. As per the Nominal Roll, as on 28th February, 2025, the Applicant has been in custody for 2 years and 5 months. His jail conduct for last one year and overall jail conduct is found to be satisfactory.
6. Considering the above and in light of the statement made by counsel for the Applicant, the present application is allowed and the Applicant is directed to be released on interim bail for a period of 10 days, on furnishing a bail bond for a sum of INR 25,000/- with one surety of the like amount, subject to the satisfaction of the concerned Trial Court/ Duty MM on the following conditions:
 - (a) The Application shall not visit or reside within 3 km of the vicinity of the Prosecutrix;
 - (b) The Applicant shall not contact the Prosecutrix or any of her family members;
 - (c) The Applicant shall, under no circumstance, leave the NCT of Delhi, without permission of the Trial Court, during the period of his release on interim bail;
 - (d) The Applicant shall, during the period of his release, provide the address where he would be residing, and shall not change the address without informing the concerned IO/ SHO;
 - (e) The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
 - (f) The Applicant shall not commit any offence during the period of his



release on interim bail;

(g) The Applicant shall surrender before the concerned Jail Superintendent, on or before the expiry of 10 days from the date of release.

7. In the event of there being any FIR/DD entry/complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

8. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and shall also not be taken as an expression of opinion on the merits of the case.

9. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

MARCH 3, 2025/ab