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

+ **BAIL APPLN. 607/2025**

ZOHAR RAZA KHAN

.....Petitioner

Through: Mr. Rakesh Kumar Singh, Mr.
Deepak Kumar Singh & Mr. Dilwar
Hussain, Advocates

versus

STATE OF GNCT DELHI

.....Respondent

Through: Mr. Aman Usman, APP with WSI
Neetu, PS Bindapur
Mr. Ravi Nayak, Advocate from
DHCLSC along with complainant in
person

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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24.04.2025

1. This is an application under Section 483 Bhartiya Nagarik Suraksha Sanhita, 2023 [**"BNSS"**] for grant of regular bail in case FIR No. 607/2024, registered under Section 69 BNS, PS Bindapur.
2. Learned counsel appearing for the petitioner submits that it is a case of physical relationship between two consenting adults, but petitioner has been falsely implicated with ill-motive and malicious intention of the complainant to pressurize him for marriage. It is submitted that complainant herself admitted that both of them became friends on social media i.e. Facebook and were in continuous relationship, enjoying movie together and continued to establish physical relationship out of their own freewill and volition, and therefore, no offence under Section 69 BNS is made out by the



petitioner.

3. Learned counsel further submits that petitioner is a Graduate from Delhi University and worked with State Bank of India and YES Bank and is the only bread-earner of his family. He further states that charge sheet has already been filed and petitioner is in custody since 02.01.2025 and no useful purpose shall be served by keeping him in custody.

4. Bail application has been opposed by the learned Additional PP, arguing that petitioner was already engaged, but on the false promise of marriage, he entered into sexual relationship with the complainant. It is submitted that the allegations are grave and serious in nature, and therefore, petitioner is not entitled for the grant of bail.

5. Learned counsel for the petitioner, in rebuttal, submits that there was no concealment from the complainant of the fact that petitioner was already engaged and that relationship was by mutual consent, without any promise of marriage.

6. As per prosecution version, as stated in the FIR, complainant started conversation with the petitioner on Facebook on 11.11.2024. On 13.11.2024, they both watched a movie. Petitioner expressed his love for the complainant and expressed his desire to marry her. On 17.11.2024, he took her to a hotel and established physical relations with her by promising to marry her. Petitioner convinced the complainant that he would make his family ready for the marriage and assured her that he would marry her and on the said promise, used to visit her flat and continued establishing physical relationship with her. Later, she realized that petitioner was already engaged and he deliberately concealed this fact and also blocked her mobile phone.



7. Complainant has supported the allegations made in the FIR in her statement recorded under Section 183 BNSS. It is evident from the allegations made in the FIR as also the statement recorded under Section 183 BNSS that petitioner made false promise of marriage to the complainant and obtained her consent on such basis. Prima facie, it also appears that petitioner knew that he cannot marry the complainant as he was already engaged. The case is still at an initial stage, inasmuch as, charges are yet not settled. The allegations are grave and serious in nature. Punishment provided is severe. The possibility that upon being released on bail, petitioner may threaten, intimidate or win-over the witnesses, cannot be ruled out at this stage.

8. Keeping in view the nature and gravity of allegations and the severity of punishment, I am not inclined to grant bail to the petitioner at this stage.

9. The application is dismissed.

RAVINDER DUDEJA, J.

APRIL 24, 2025

RM