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

+ **BAIL APPLN. 1466/2025**

PAWAN KUMAR @ TALIB

.....Petitioner

Through: Mr. Durgesh Singh and Mr. Saurabh
Upadhyay, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP with W/SI
Sangam Yadav, PS- Mayur Vihar
along with Victim.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **20.05.2025**

1. The learned counsel for petitioner submits that the petitioner and the complainant are neighbours and that petitioner has been falsely implicated in the present case on account of personal enmity.
2. He further submits that the MLC shows that the injuries on victim were simple in nature.
3. The petitioner is stated to be in judicial custody since July 2024.
4. The bail application has been opposed by the learned APP arguing that petitioner has committed penetrative sexual assault with a minor child and that after the commission of the offence, he had absconded and was eventually arrested in July 2024. He further submits that the victims and their mother were examined under Section 299 Cr.P.C, but are yet to be



cross-examined and, therefore, there is a possibility that upon being released on bail, the petitioner may threaten or intimidate the witnesses cannot be ruled out.

5. FIR in this case has been registered on the complaint of the victim. As per the allegations in the FIR, the petitioner took both the sons of the petitioner to his room. He closed the door from inside. Having come to know, complainant knocked the door but when the door was not opened, she pushed the door open and saw the petitioner indulging in penetrative sexual assault with one of her son while the other son was weeping inside the room.

6. The allegations *qua* the petitioner are grave and serious in nature. Witnesses are yet not cross-examined. Hence, Keeping in view the nature and gravity of the allegations and severity of the punishment, I am not inclined to grant bail to the petitioner/accused. The application is therefore dismissed.

RAVINDER DUDEJA, J

MAY 20, 2025

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