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

+ **BAIL APPLN. 1728/2025**

BABLU

.....Petitioner

Through: Mr.Karamveer Singh, Ms. Nikita Chaudhary & Mr. Abhishek Shandilya, Advs.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for the State along with Ms.Puja Mann and Mr. Chandrakant, Advs. SI Saroj Bala.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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15.07.2025

1. By way of the present application, the applicant is seeking grant of regular bail in case out of FIR bearing no. 185/2022, registered at Police Station Fatehpur Beri, Delhi, for the commission of offences punishable under Sections 376/341/506/323/34 of the Indian Penal Code, 1860 (hereafter '*IPC*') and Section 6 of the Prevention of Children from Sexual Offences Act, 2012 (hereafter '*POCSO Act*').

2. Briefly stated, the facts of the present case, as per prosecution, are that the prosecutrix used to live with her mother and two brothers, and her father used to often remain out of town due to his job. It is alleged that about one month prior to filing of complaint, the applicant Bablu, who is a relative of the landlord of the house where the prosecutrix was living, had called her to



his room at around 5:30 PM, and had forcibly committed sexual intercourse with her. He also allegedly blackmailed her with a video of her bathing, which had prevented her from reporting the incident. Subsequently, the applicant had forcibly committed sexual intercourse with her on 29.04.2022 at around 2:30 AM and again on 02.05.2022 at around 1:30 AM. Thereafter, the applicant and his wife had started levelling false accusations against the victim. Accordingly, the matter was reported to the police on 03.05.2022 and consequently, the present FIR came to be registered.

3. It is contended by the learned APP for the State that the allegations in this case are grave and serious in nature. He also states that all the witnesses, including the prosecutrix, in this case have been examined, who have supported the prosecution's case. He also states that the FSL report also supports the case of the prosecution and the trial will now conclude in almost 1-2 months.

4. However, the learned counsel appearing for the applicant insists that the applicant be granted bail to look after his family consisting of wife and children. He also states that the applicant has been falsely implicated in the present case.

5. This Court has **heard** arguments addressed on behalf of both the sides and has perused the material available on record.

6. The allegations against the applicant Bablu are that he had forcibly committed sexual intercourse with the prosecutrix on multiple occasions, first about a month prior to the filing of the complaint and thereafter on 29.04.2022 and 02.05.2022, by luring her to his room and threatening her with a video of her bathing. It is further alleged that the applicant, who is a



relative of the landlord of the house where the prosecutrix resided, used this video to blackmail and silence her.

7. This Court notes that the victim in this case was about 15 years at the time of commission of offence. As per FSL report of the biological examination, the presence of semen of the applicant was confirmed on the vaginal swabs of the victim.

8. The prosecution as of now has examined almost all the witnesses, including the prosecutrix, who have supported the prosecution's case and the trial is to conclude shortly. The Hon'ble Supreme Court in ***X v. State of Rajasthan: SLP(Crl.) 13378/2024*** has observed that ordinarily, in offence like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining the witnesses, the Courts should be loath in entertaining bail applications of the accused.

9. Considering the seriousness of the alleged offence, and the fact that all the witnesses including the prosecutrix, except the Investigating Officer (IO) have been examined, who have supported the case of the prosecution, and the *prima facie* evidence which has come on record is against the applicant, no ground for bail is made out at this stage.

10. Accordingly, the bail application is dismissed.

11. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 15, 2025/A