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

+ **BAIL APPLN. 1852/2025 & CRL.M.(BAIL) 1071/2025**

JASMEET SINGH

.....Petitioner

Through: Mr. Nipun Katyal, Advocate with Mr. Surya Pratap Singh Rana and Mr. Manan Sharma, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for the State along with Insp. Bhanu Pratap Singh, SHO GK-1, SI Nishi GK-1, SI Khushboo GK-1.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

22.05.2025

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1. By way of the instant application, the applicant seeks grant of anticipatory bail in case arising out of FIR bearing No. 158/2025, registered at Police Station Greater Kailash, Delhi for the commission of an offence punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. Briefly stated, the facts of the present case are that on 04.03.2025, the complainant had made a written complaint at PS Greater Kailash, wherein she stated that she runs a Spa Centre at Greater Kailash-1, Delhi, on a floor of which Jasmeet, the applicant herein, is the owner. It is stated that they both had become friends and that the applicant/accused had physical



relations with her on 25.07.2024, on the pretext of marriage. He had promised that he will be getting divorced from his wife as he had no child. It is stated that in August 2024, the accused/applicant, who was intoxicated, had committed forcible and unnatural sex with her at her spa centre. On 06.01.2025, the applicant/accused allegedly had physical relations with the victim for the last time. It was also stated that the applicant/accused had refused to marry her, and therefore, she had made the aforesaid complaint. On the basis of the aforesaid complaint, the present FIR has been registered.

3. As per Status Report, during investigation, MLC of the victim had been conducted on 04.03.2025, and Urine Pregnancy Test (UPT) of the victim had been found positive, and the statement of the victim under Section 183 of BNSS had been recorded, wherein she had supported her previous version.

4. The learned counsel appearing for the applicant/accused argues that the applicant has been falsely implicated in the present case, and that the chargesheet has already been filed. It is further submitted that the accused has cooperated with the investigation and that there is no risk of absconding or tampering with evidence. It is further stated that though it is an application for grant of anticipatory bail, and the chargesheet in this case has been filed, the supplementary chargesheet is not to be filed as per instructions and submissions made by the learned APP for the State, however, there may be apprehension that the learned Trial Court may order his arrest as it is a case under Section 69 of BNS and is session triable. Therefore, the applicant herein be granted anticipatory bail.

5. The learned APP for the State, on instructions from the IO/SHO concerned, states that in this case, since the victim had gone to her native



village and had undergone termination of pregnancy there, therefore, there was no need for taking a sample for DNA profiling when accused was medically examined. It is also stated that the applicant herein has cooperated with the investigation, however the allegations are grave against the applicant and there is *prima facie* medical evidence in the form of pregnancy of the complainant/victim to substantiate the allegations in the present case. Therefore, the present case is not fit for grant of anticipatory bail.

6. The learned counsel appearing for the victim states that she had not undergone medical termination of pregnancy, and the fetus had naturally been expelled for reasons unknown.

7. The Court has heard the arguments addressed on behalf of both parties and has perused the material available on record.

8. The allegations in the present case, against the applicant herein, are that he had maintained physical relations with the complainant/victim on the basis of false pretext of marriage. The potency test report of the accused reveals that there is nothing to suggest that the applicant herein is incapable of performing sexual intercourse under ordinary circumstances. Nonetheless, this Court notes that as per the Status Report, the applicant had joined the investigation and had cooperated with the investigating officials and had been interrogated. It is further noted that after the completion of the investigation, the chargesheet had been filed on 07.05.2025. It is stated that the accused has not been arrested during the entire investigation, and the chargesheet has been filed in this case, and the custodial interrogation of the applicant herein is not required.

9. Keeping in view all the facts and circumstances mentioned hereinabove, and the fact that the applicant has cooperated in the



investigation and the chargesheet has been filed in the present case, this Court is inclined to grant anticipatory bail to the applicant, and in event of arrest, the applicant shall be released on his furnishing personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the learned Trial Court concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court.
 - ii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.
 - iii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Trial Court.
10. Accordingly, the bail application stands disposed of.
 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.

MAY 22, 2025/zp

DR. SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)