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

+ **BAIL APPLN. 2156/2025 & CRL.M.A. 17518/2025**

AMAN GARG

.....Applicant

Through: Mr. Hasim Alam, Ms.
Khushi A. Ayubi, Mr.
Parveen Mittal & Mr.
Abhishek Mittal, Advs.

versus

STATE N.C.T. OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP
for the State.
SI Dipika, PS Adarsh
Nagar.
Victim in person.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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11.08.2025

1. The present application is filed seeking pre-arrest bail in FIR No. 410/2025 dated 11.05.2025, registered at Police Station Adarsh Nagar, for offences under Sections 376/506/509 of the Indian Penal Code, 1860 ('IPC')

2. It is the case of the prosecution that the applicant met the prosecutrix on Jeevansathi.com. It is alleged that on 07.11.2022, the applicant promised to marry the prosecutrix and forcefully established sexual relations with her after intoxicating her. Thereafter on multiple occasions, the applicant allegedly established sexual relations with the prosecutrix on the false pretext of marriage. As per the allegations, the last incident of sexual exploitation took place on 13.08.2023.

3. A Zero FIR was initially recorded in Police Station Adarsh

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Nagar on 24.08.2023 which was thereafter transferred to the authorities in Noida. Subsequently, the investigation was transferred to Delhi by this Court as one of the alleged incidents had taken place within the territorial jurisdiction of Police Station Adarsh Nagar.

4. It is argued on behalf of the applicant that he was in a consensual relationship with the prosecutrix and he is innocent.

5. By order dated 30.05.2025, this Court had granted interim protection to the applicant, subject to him joining and cooperating with the investigation. It is pointed out that the applicant has since joined the investigation.

6. Interim protection was granted to the applicant observing that the FIR was registered almost two years after the alleged incidents. It is pointed out that the complaint was given to the Police in the year 2023 itself, however, the investigation was initially transferred to the authorities in Noida, whereafter, a regular FIR was directed to be registered Police Station Adarsh Nagar in the year 2025.

7. In the present case, even as per the complaint, the parties were in a relationship for close to nine months. As per the FIR, the family members of the prosecutrix and the applicant had also interacted with each other in relation to their marriage. Whether the consent of the prosecutrix was vitiated by misconception of fact arising out of promise to marry cannot be established at this stage, and the same would be a matter of trial.

8. It is important to note that the victim is present in the Court today and on being asked, she states that she has no objection if the applicant is admitted to bail.



9. Considering the fact that the victim has no objection to the applicant being admitted on bail and that he has joined the investigation, in the opinion of this Court, the applicant is entitled to grant of pre-arrest bail.

10. In view of the above, in the event of arrest, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹25,000/- with two sureties of the like amount, subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The applicant shall join and cooperate with the investigation, if required, as and when directed by the IO;
- b. The applicant shall not contact the victim or her family member in any manner whatsoever;
- c. The applicant shall not leave the country without the prior permission of the learned Trial Court;
- d. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- e. The applicant shall appear before the learned Trial Court as and when directed;
- f. The applicant shall provide the address where he is residing and shall not change the address without informing the concerned IO/SHO;
- g. The applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

11. In the event of there being any violation of the stipulated



conditions, it would be open to the State to seek redressal by filing an application seeking cancellation of the bail.

12. It is clarified that the 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 should not be taken, as an expression of opinion, on the merits of the case.

13. The present bail application is allowed in the aforesaid terms.

AMIT MAHAJAN, J

AUGUST 11, 2025

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