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

+ **BAIL APPLN. 2331/2025**

RAJESH PASWAN

.....Petitioner

Through: **Mr. Sanjay Kumar, Advocate**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Ms. Manjeet Arya, APP with IO SI
Avanti, PS Lahori Gate
Victim in person with Mr. Kavindra
Kumar Gill, Advocate from DHC
Legal Aid**

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

21.11.2025

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1. This is an application for grant of bail filed on behalf of the applicant Rajesh Paswan in case FIR No. 471/2025, under Sections 74/115(2)/127(2) BNSS and 8/10 POCSO Act, PS Lahori Gate.
2. The learned counsel for the petitioner submits that all the allegations are false and baseless. There is a delay of almost one year in reporting the incident. Investigation is complete and charge sheet has already been filed in court, and therefore, applicant is not required for any further investigation. He has been in judicial custody for the last more than six months. He is the only bread-earner of his family and prolonged custody would amount to pre-trial punishment.
3. Bail application has been opposed by the learned APP, duly assisted by the learned counsel for the victim, submitting that at the time of incident,



the age of the victim was only 9 years, whereas, the applicant is a grown-up person, aged about 25 years. It is argued that the allegations qua the present applicant are grave and serious in nature, and therefore, he does not deserve the leniency of grant of bail.

4. As per allegations, while the mother and brother of the victim were not at home, the applicant, who used to live on the upper floor of the same building in which the victim along with her family were residing, came to her room, locked it from inside and caught-hold of the victim from back. He tried to put off her clothes and when the victim resisted, he started touching her body. Victim pushed the applicant, and in retaliation, petitioner bite on the victim's hand and cautioned her not to tell about the incident to anyone.

5. There are allegations that after about 15 days of the incident, a friend of the petitioner who lives on the same floor as that of petitioner, sexually assaulted her. However, the said person is stated to have already expired.

6. Status Report reveals that on 16.05.2025, an NGO 'Butterflies' approached the tuition center of the victim and while the children were being asked about their problems, the victim narrated the incident. The NGO then took the victim to the police station, leading to the registration of the FIR at the instance of the victim.

7. During investigation, the age related documents of the victim were collected from the concerned school, and upon analysis, the date of birth of the victim was found to be 23.06.2015 and that being so, the age of the victim at the time of registration of the FIR was 9 years, 10 months & 25 days.

8. Victim was a small child at the time of occurrence. Merely because there is some delay in reporting the matter, may not be fatal, inasmuch as, at



such an age, it is possible that the victim may not have understood as to what wrong was committed with her. The objective of the POCSO Act is to provide protection to the children from the offences of sexual assault and sexual harassment.

9. The allegations are grave and serious in nature. Even though, the investigation may be over but the trial is still at a nascent stage. Victim is still not examined. The possibility that upon being released on bail, the applicant may threaten or intimidate the victim, cannot be ruled out at this stage.

10. Hence, keeping in view the entire facts and circumstances and the nature and gravity of allegations, the Court is not inclined to grant bail to the applicant at this stage.

11. The application is therefore dismissed.

RAVINDER DUDEJA, J.

NOVEMBER 21, 2025

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