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

+ **BAIL APPLN. 3012/2025**

BADAL @ BHURA

.....Petitioner

Through: Mr. C.M. Sangwan, Advocate.

versus

**THE STATE (GOVT. OF NCT DELHI)
& ANR.**

.....Respondents

Through: Mr. Ajay Vikram Singh, APP for
State with WSI Ambika Yadav and SI Lal Chand,
PS-Shahbad Dairy.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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18.11.2025

1. Present application has been filed by petitioner under Section 483 of BNSS, 2023 seeking regular bail in connection with FIR no. 270/2025, under Sections 74/75/78/79/115(2)/126/351/3(5) BNS, 2023 & Sections 08/12 POSCO Act registered at PS-Shahbad Dairy.
2. The case of the prosecution is that victim is a student of Class-X. She made a complaint alleging that on 14.04.2025 at 5 PM when she went to the shop, three boys namely Jatin, Bhura (petitioner herein) and Ankush were standing there along with their motorcycles. They started following the victim and Jatin grabbed her hand and Bhura hit her chest. Jatin then put his hand on her shoulder and started shaking her hard.
3. Jatin also showed a knife to the victim. When the victim screamed, one Harsh came outside and seeing the knife, he pulled the victim back. On



this, Bhura hit Harsh on his head with a rod. After that Ankush started throwing stones. The fight only ended after Jatin's family came to the site.

4. Learned counsel appearing on behalf of the petitioner submits that co-accused Jatin was not even arrested and the chargesheet has been filed without his arrest and the investigation is complete, however, the petitioner is in custody since 06.06.2025.

5. He submits that the only offence under the POCSO Act which has been invoked in the present case is under Section 8 and 12, for which the maximum sentence is for a period of three years. He submits that MLC only shows that Harsh has suffered simple injury.

6. He further contends that antecedents of the petitioner are clean and there is no previous involvement.

7. Heard learned counsel for the petitioner as well as learned APP for State.

8. It is not in dispute that the petitioner is in custody since 06.06.2025 and the investigation is complete and chargesheet has been filed. Therefore, custody of petitioner is no more required for the purpose of investigation.

9. The nature of allegation would at best constitute an offence under Section 8 and Section 12 of POCSO Act for which maximum sentence that can be imposed is for a period of three years.

10. On being queried by the Court, learned APP for the State, on instructions from the IO, who is present in Court, states that there are no previous involvements of the petitioner. He further fairly concedes that the injury caused to Harsh is simple in nature.

11. In view of the aforesaid facts and circumstances, this Court is of the view that the petitioner has made out a case for grant of regular bail.



Accordingly, the petitioner is admitted on regular bail subject to his furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the learned Trial Court/JMFC/Duty JM, further subject to the following conditions:

- (a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- (b) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- (c) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the victim or any family members of the victim or other witnesses.

12. It is clarified that the observations made herein above are only for the limited purpose of deciding the present bail application and the same shall not be construed as an expression of opinion on merits of the case.

13. The application is disposed of.

14. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.

15. Order *dasti* under signatures of the Court Master

VIKAS MAHAJAN, J

NOVEMBER 18, 2025/jg