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

+ **BAIL APPLN. 3138/2025, CRL.M.A. 24365/2025**

BENJAMIN RIM

.....Petitioner

Through: Mr. Javed Khan, Advocate.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hemant Mehla, APP for State.
Ms. Aakansha, SI, PS-Maidan Garhi
and Ms. Pinki Rana, SI, PS-Malviya
Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

19.08.2025

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1. The present application filed under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Sections 439 and 482 of the Code of Criminal Procedure, 1973) seeks regular bail in FIR No. 88/2023 registered under Sections 376, 376D, 354, 323, 498A and 34 of the Indian Penal Code, 1860.¹ Subsequently, a chargesheet was filed in the said FIR, and the accused was charged under Section 376D of the IPC and Section 14 of the Foreigners Act, 1946.

2. The Petitioner's previous bail application was dismissed by a reasoned order dated 14th May, 2025, after hearing detailed arguments. However, Counsel for the Petitioner submits that the order was passed without affording him a sufficient opportunity to present his arguments in

¹ "IPC"



the matter. This submission, on the other hand, is contradicted by Mr. Hemant Mehla, APP for the State, who submits that the Petitioner was heard on several occasions. He states that the Petitioner was granted sufficient time to address his arguments and that the submission made by the Petitioner is patently incorrect.

3. Indeed, the previous order specifically takes note of each and every submission made by the Petitioner and contains detailed reasoning for rejecting the grounds urged. Merely three months after that order, the Petitioner has once again approached this Court seeking bail. However, no material change in circumstances has been pointed out, except for the fact that the period of incarceration has increased by three months since the previous order was passed. Additionally, counsel for Petitioner submits that the Petitioner has also regularised his stay which again is not a material change in circumstances.

4. Thus, none of the grounds urged by the Petitioner merit reconsideration. Accordingly, the Court finds no ground whatsoever to entertain the present bail application.

5. Dismissed along with pending application.

SANJEEV NARULA, J

AUGUST 19, 2025

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