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

+ **BAIL APPLN. 3673/2025**

PRAKASH

.....Petitioner

Through: Mr. Chetan and Ms. Deepika, Advs.

versus

THE STATE OF NCT OF DELHI AND

ANR

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for
State.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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03.11.2025

1. The present petition has been filed under Section 483 read with Section 528 BNSS, 2023 seeking regular bail in connection with FIR No. 289/2025 under Sections 65(2), 351 of BNS, 2023 & Section 6 of POCSO Act, 2012 registered at Police Station Nand Nagri, Delhi.
2. Mr. Chetan, learned counsel appearing on behalf of the petitioner submits that the victim has not supported the case of prosecution. To buttress his contention, he has invited attention of the Court to the testimony of victim who was examined as PW-1.
3. A perusal of the testimony of PW-1 clearly shows that the victim has not supported the case of prosecution. Even the victim has denied the suggestion given to her by the learned Additional/Special Public Prosecutor for the State.
4. It is not in dispute that apart from the victim, there is no other material witness.
5. In view of the fact that the victim/PW-1 has not supported the case of prosecution at all, this Court finds that the petitioner is entitled to regular



bail.

6. Accordingly, the petitioner is admitted to 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 witnesses or any family members of the witnesses.

7. It is clarified that the observations made hereinabove 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.

8. The petition is disposed of in the above terms.

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

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

VIKAS MAHAJAN, J

NOVEMBER 3, 2025

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