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

+ **BAIL APPLN. 3781/2025**

SACHIN ANTIL

.....Petitioner

Through: Mr. Deshmukh Kumar, Advocate

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Amisha Dahiya,
Advocate
Mr. Amardeep Soni & Mr. Bhanu
Nandwani, Advocate for complainant

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **14.11.2025**

CRL.M.A. 29454/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of present application, the applicant is seeking grant of anticipatory bail in case arising out of FIR bearing No. 11/2025, registered at Police Station Sunlight Colony, South East, Delhi for the commission of offences punishable under Section 140(3)/115(2)/127(20)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
4. The brief facts of the case are that the complainant, 'N', had allegedly come into contact with accused Sachin Antil through an online gay dating



group on telegram in August 2023. In October 2023, the applicant Sachin had allegedly called the complainant to his residence and sexually abused him. In November 2023, during a trip to Chandigarh, he had again attempted to sexually abuse the complainant. Towards the end of November 2023, the present applicant is alleged to have subjected the complainant and his family to mental harassment, verbal abuse, and intimidation. In December 2023, the complainant had allegedly received calls from co-accused Sahil Antil, i.e. brother of the present applicant, warning him not to approach the police. In April 2024, similar threats of harm were allegedly extended by one Rakshit Antil, the cousin of the present applicant. The complainant further alleges that on 09.08.2024, the present applicant/accused, along with co-accused persons Yugal Verma, Rakshit Antil, and Rohit Antil, had forcibly taken him from his residence in a white car, physically assaulted him repeatedly, videographed him, and then took him to a society in Sonapat, Haryana, where they had attempted to sexually abuse him. At around 8:30 PM on the same day, owing to the pressure from the complainant's family, the accused persons had abandoned him at Ashram Bus Stand, Delhi, after issuing threats of grave consequences to him and his family, if he disclosed anything to anyone. On 10.08.2024, the complainant again had received threatening calls from the accused persons, warning him against approaching the police. The FIR was registered on 09.01.2025.

5. The learned counsel appearing for the applicant argues that there is an inordinate and unexplained delay in lodging the FIR, as the alleged incident of kidnapping and assault is stated to have occurred on 09.08.2024, whereas the FIR came to be registered only on 09.01.2025, i.e. after about five months. Despite allegations of kidnapping and sexual abuse, no immediate



medical examination (MLC) or prompt police reporting was undertaken. It is contended that the applicant was served with a notice under Section 35(3) of BNSS on 19.02.2025, pursuant to which he had joined the investigation on 21.02.2025, was duly interrogated, and his WhatsApp chats with the complainant were extracted from his mobile phone by the police; however, nothing incriminating was recovered from him. It is submitted that the investigation is at an advanced stage; therefore, custodial interrogation of the applicant is neither necessary nor warranted, and accordingly, it is prayed that the applicant be granted anticipatory bail.

6. On the other hand, the learned APP for the State, assisted by the learned counsel for the complainant, argues that the allegations against the applicant are serious in nature. Learned counsel for the complainant argues that the vehicle used in the alleged kidnapping has not yet been recovered, and that the applicant's family members had approached and threatened the complainant. The learned APP for the State, on instructions from the Investigating Officer, submits that the applicant's interrogation is complete and that he is not required for further investigation.

8. This Court has heard the argument addressed by the learned counsel of the applicant, learned counsel of the complainant and the learned APP for the state and has perused the material on record.

9. This Court notes that the allegations levelled against the applicant pertain to abduction and sexual abuse and that, at the initial stage, Sections 3(1)(r) and 3(1)(s) of the SC/ST Act were also invoked against the applicant. However, upon further investigation conducted by the ACP, Sub-Division Lajpat Nagar, and after obtaining legal advice, the provisions of the SC/ST Act were removed owing to lack of evidence against the applicant.



10. This Court has perused the material on record and notes that the applicant was served with a notice under Section 35(3) of the BNSS on 19.02.2025, pursuant to which he joined the investigation on 21.02.2025, was duly interrogated, and his WhatsApp chats were retrieved during the investigation. On the instructions of the Investigating Officer present in Court, it is apprised that the applicant has already been interrogated for the purposes of the present case and is not required for any further interrogation.

11. Therefore, considering the overall facts and circumstances of the present case, this Court is inclined to grant anticipatory bail to the applicant/accused. In event of arrest, she shall be released on bail on her furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount, subject to satisfaction of the I.O./SHO concerned, subject to following conditions:

- i) The applicant shall join investigation, as and when called by the concerned IO/SHO with the Police and shall remain available on mobile numbers; shared by him with the police.
- ii) The applicant shall not leave the country without prior permission of the concerned court and shall also surrender his passport with the IO/SHO.
- iii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.
- iv) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned I.O./SHO.

12. Accordingly, the present application stands disposed of.



13. It is however clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

DR. SWARANA KANTA SHARMA, J

NOVEMBER 14, 2025/RB