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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 21.11.2025*+ **BAIL APPLN. 4471/2025**

SAVAN KUMAR

.....Petitioner

Through: Mr. Pritish Sabharwal,
Advocate

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Manoj Pant, APP for the
State with Ms. Kavita Awasthi
and Mr. Ashish Bharmoria,
Advts.**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J. (Oral)****CRL.M.A. 34593/2025 (exemption)**

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

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3. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of FIR bearing no. 468/2025, registered on 28.10.2025, at Police Station Sangam Vihar, Delhi for the commission of offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').



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4. Briefly stated, facts of the present case are that a call had been received on 25.10.2025 at P.S. Sangam Vihar, Delhi, from Batra Hospital, Delhi, wherein it was informed that one Rakhi, aged about 19 years, was admitted in the hospital after she had allegedly jumped from terrace. Pursuant thereto, the police officials had reached Batra Hospital, where the injured was undergoing treatment. The attending doctor had noted on the MLC that the patient was *“A/H/O fall from height (5th floor) as stated by her brother Sarvan”* and her condition had been described as critical. The injured was thereafter shifted to AIIMS Trauma Centre, Delhi, for advanced care. Subsequently, the place of incident was identified as House No. J-19, Gali No. 4, D-Block, Sangam Vihar, New Delhi. The spot of incident was inspected thoroughly; photographs were taken, and relevant exhibits recovered from the spot and adjoining areas were seized through seizure memo. Later, *vide* DD No. 161A dated 25.10.2025, an information was received that the injured Rakhi, who had been admitted at AIIMS Trauma Centre *vide* MLC No. 500519386/25, had been declared as *“brought dead.”* On 26.10.2025, the deceased’s sister Muskan and father Vinay Kumar had identified the body. The postmortem was conducted *vide* PM No. TC-751/2025, and the exhibits handed over by the doctor were taken into police possession through seizure memo. On 28.10.2025, the complainant Muskan (deceased’s sister) had appeared at PS Sangam Vihar, Delhi, and got her statement recorded. Based on her statement, the MLC, the site inspection, and the surrounding circumstances, the present FIR was registered.



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5. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and that he had no role whatsoever in instigating the deceased, which allegedly led to the unfortunate incident, contrary to what is portrayed by the complainant. It is contended that the deceased Rakhi herself was not mentally stable, as she was thrown out of her parental home and was under familial pressure, and therefore her act of committing suicide cannot be attributed to any conduct on the part of the applicant. It is stated that the petitioner was in a close friendship with the deceased for about 3-4 years. It is further submitted that it was the applicant who was subjected to continuous harassment and threats by the deceased. Reliance is placed on the records and electronic messages furnished by the applicant, which, according to learned counsel, demonstrate that he had never instigated the deceased to take any extreme step; *rather*, it was the deceased who had repeatedly blackmailed him. It is argued that the FIR was registered only on 28.10.2025, i.e., after an unexplained delay of three days, which provided sufficient opportunity for the complainant to concoct a false narrative and falsely implicate the applicant. The learned counsel further contends that the applicant has already joined the investigation and extended full cooperation to the Investigating Officer (I.O.), including by voluntarily handing over his mobile phone. It is asserted that no recovery is pending from the applicant, nor has the I.O. indicated that any material fact or evidence lies exclusively within the applicant's knowledge or possession. It is, thus, prayed that the applicant be granted the protection of



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anticipatory bail.

6. The learned APP for the State, on the other hand, vehemently opposes the present anticipatory bail application and submits that the allegations against the applicant are serious in nature. It is contended that the material collected during investigation, including the statements of the family members and the MLC, clearly indicates that the deceased Rakhi had fallen from the terrace of the building under suspicious circumstances, and the applicant's conduct prior to the incident remains an essential subject of investigation. It is argued that the complainant Muskan, in her detailed statement recorded before the police, has specifically alleged that the applicant had emotionally manipulated and harassed the deceased, and that his acts had a direct bearing on her mental condition immediately prior to the incident. It is further submitted that the applicant/accused had initially referred to the deceased as his "sister" when first inquired about her death, which also creates suspicion regarding his conduct. The learned APP also contends that since the investigation is still at a nascent stage, the possibility of invoking Section 103 of the BNS cannot also be ruled out at this stage. Therefore, in view of the seriousness of the offence and the requirement of custodial interrogation, the learned APP prays that the present anticipatory bail application be dismissed.

7. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material on record.

8. The present case concerns the unnatural death of a 19-year-old girl, Rakhi, who had allegedly fallen from the fifth floor of a building



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on 25.10.2025. The FIR in this case came to be registered on 28.10.2025 on the basis of the statement of her sister, and the investigation has since been set in motion. This Court notes that the complainant has leveled specific allegations against the present applicant, that he was in a relationship with the deceased Rakhi and had been repeatedly harassing her for several days prior to the incident. It is alleged that Savan was suspicious of the deceased, had forcibly demanded the password of her mobile phone, assaulted her, and thereafter continuously provoked her to commit suicide by repeatedly telling her to “go and die” and that “it would be better if you died.” It is also alleged that the applicant had threatened the deceased by saying that he would kill her and that her life did not matter to him. He had allegedly assaulted the deceased on 24.10.2025, a fact which the deceased is stated to have disclosed to her sister (the complainant) prior to the incident. The complainant also alleged that on the date of the incident, the applicant had called the deceased to his flat, from where she had allegedly fallen, and that the applicant himself may have pushed the deceased from the terrace. It is also alleged that the applicant had misled the family members of the deceased by calling them from a different number, claiming that Rakhi’s phone was broken (whereas the phone was later found intact), and subsequently switched off his phone after leaving the hospital.

9. *At this stage*, the aforesaid allegations cannot be brushed aside as they bear a direct nexus with the proximate events preceding the



deceased's alleged fall from the fifth floor of the building. Moreover, in this Court's opinion, the conduct of the applicant – immediately after the incident – also raises suspicion. The material placed before this Court suggests that when he had first interacted with the attending doctor at Batra Hospital, the applicant had represented that the injured was his “*sister*,” whereas before the Court, she has been described as his “*girlfriend*”. It is not clear as to why the applicant had informed the doctors at the first Hospital that the injured was his ‘*sister*’. It is also alleged by the complainant that the applicant, on the day of incident, had initially told her on call that the deceased's mobile phone had ‘broken’, however he later had handed over the said phone at the hospital, where it was found to be intact and functional. It is further alleged that the applicant thereafter left the hospital and switched off his mobile phone.

10. This Court further observes that upon a pointed query from the learned Sessions Court as to the applicant's location at the time of the incident, the applicant's counsel had stated that the applicant resided in Tigri, i.e. about 2-3 kilometres from the place of occurrence, and that the distance ordinarily took 25-30 minutes to cover. Another query was raised as to how the applicant came to know about the deceased's fall, and the answer furnished was that the deceased had sent him a text message. These explanations, *prima facie*, appear unconvincing and investigation on this aspect is also required to be carried out.

11. At this stage, this Court also takes note of the submission of



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the learned APP for the State, that even offence under Section 103 of BNS (*Section 302 of IPC*) cannot be ruled out, since the allegations in the FIR are also that the applicant and the deceased were together at the time of incident and the applicant may have pushed the deceased from the terrace. Therefore, this Court is of the view that the custodial interrogation of the applicant is necessary in the facts and circumstances of the present case.

12. The prosecution has also alleged that the police had gone to the native place of the applicant in Rajasthan on 30.10.2025 to arrest him, however, he and his family members had gathered a large crowd and restrained the police officials from arresting the applicant.

13. For the reasons recorded hereinabove, and considering the nature of the allegations levelled against the applicant, the material presently collected during the course of investigation, as well as the applicant's conduct immediately before and after the incident, this Court finds no ground to grant anticipatory bail to the present accused/applicant.

14. The bail application is accordingly dismissed.

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

16. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J
NOVEMBER 21, 2025/A