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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 30/2026**
RAJU

.....Petitioner

Through: Mr. Omkar Sharma and Mr. Aditya
Sharma, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Anil.
Mr. Alok Sharma and Mr.
S.C.Raghav, Advocates for
complainant (through V.C.).

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
17.02.2026

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1. Applicant seeks regular bail in case FIR No. 166/2025, registered under Section 137(2) and 65(1) *Bharatiya Nyaya Sanhita, (BNS), 2023* (corresponding Sections 363/376(3) IPC) and Section 6 of *Protection of Children from Sexual Offences (POCSO) Act*, at P.S. Seemapuri, Delhi.
2. The charges have already been framed.
3. Learned counsel for petitioner submits that it was a case of consensual elopement and no incriminating word was revealed by the prosecutrix in her statement made under Section 164 Cr.P.C. (corresponding Section 183 BNSS, 2023)

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4. He contends that prosecutrix has already been examined and, therefore, there is no possibility of petitioner threatening her or influencing the case of the prosecution in any manner whatsoever.
5. The Nominal Roll was requisitioned and, simultaneously, the notice of the bail application was also directed to be issued to victim.
6. Mr. Alok Sharma, learned counsel has appeared on behalf of the victim and submits that the consent of the victim is of no significance as she was, admittedly, minor at the time of the alleged elopement.
7. The Court has gone through the allegations appearing in the charge-sheet which also captures her statement which she had made under Section 183 of BNSS, 2023, wherein she had claimed that she was 16 years of age and Raju (applicant herein) was her boyfriend. She further stated that they both went to Prayagraj where they got married. She also claimed that she had, voluntarily, accompanied him and that there was no wrong committed (*'mere sath kuch galat nhi hua hai'*).
8. The Nominal Roll received from the jail authority would indicate that applicant is in custody since 18.03.2025 and there is no previous involvement of any nature whatsoever. His age, as reflected in the Nominal Roll, shows him to be of 21 years of age.
9. Importantly, the child-victim has already been examined and, though, in her examination-in-chief she did not make any incriminating statement against the applicant, when cross-examination was done by the prosecution, she admitted that there was physical relationship between her and the accused.
10. Be that as it may, keeping in mind the overall facts and circumstances of the case, the young age of the applicant, his clean antecedents and the fact



that the child-victim has already been examined, no useful purpose would be served by keeping him behind the bars, particularly when, there is no likelihood of completion of trial in the immediate future. Consequently, the applicant is directed to be released on bail on his furnishing personal bond in a sum of Rs. 25,000/- with one surety of like amount, subject to satisfaction of learned Trial Court/CJM/Duty Magistrate with the following conditions:-

- i. Applicant shall not try to contact and influence any witness, directly or indirectly, till the trial is complete and the case is disposed of.
 - ii. He shall provide his Mobile Number to the concerned I.O and shall ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.
11. The application stands disposed of in aforesaid terms.
 12. A copy of this order be sent to the concerned Court and also to the Jail Superintendent for necessary information and compliance.

MANOJ JAIN, J

FEBRUARY 17, 2026/ss/pb