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

+ **BAIL APPLN. 220/2026**

VINOD KUMAR

.....Petitioner

Through: Mr. Raman Jangra, Mr. Jagbir, Mr. Amit Kumar, Ms. Neha, Mr. Mohit Sharma, Ms. Shubhra Chandu Sharma & Mr. Prateek, Advocates.

versus

STATE NCT DELHI

.....Respondent

Through: Mr. Yudhvair Singh Chauhan, APP for State.
Mr. Himanshu Nehra, Advocate for Complainant alongwith Complainant in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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27.03.2026

1. By way of the present bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"], the petitioner seeks regular bail in connection with FIR No. 397/2025, dated 29.09.2025, registered at Police Station Shahdara, Delhi, under Sections 75/351(1) of the Bharatiya Nyaya Sanhita, 2023, and Section 10 of the Protection of Children From Sexual Offence Act, 2012 ["the POCSO Act"].

2. The petitioner is the step-father of the prosecutrix, who was 11 years old at the time of the incident in question. The petitioner's application for bail was rejected by the Sessions Court *vide* order dated



03.12.2025. Since then, charges have been framed against the petitioner under Section 8 of the POCSO Act, and I am informed that the proceedings are listed before the Sessions Court for recording evidence of the prosecutrix on 09.04.2026.

3. Mr. Raman Jangra, learned counsel for the petitioner, submits that, in her statement under Section 183 of the BNSS, the prosecutrix has stated that she had made allegations against the petitioner in view of petitioner's violence towards her mother.

4. Having regard to the fact that the prosecutrix's testimony is to be recorded shortly, I am of the view that the petitioner ought to approach the Sessions Court after recording of her evidence.

5. However, Mr. Jangra submits that Presiding Officer of the Sessions Court is on long leave, and the case has been adjourned by the Link Judge on two occasions, when fixed for evidence of the prosecutrix.

6. In view of this submission, it is directed that, in the event, the concerned Court is not available on the next date of hearing, a request may be made on behalf of the petitioner for recording of the evidence before the Link Judge. Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor, states that the prosecution will also cooperate in this process. It may be noted that the prosecutrix and her mother are present in Court and are represented by learned counsel. They also state that the prosecutrix will appear for recording of her evidence on the next date before the Sessions Court.

7. In view thereof, once the evidence of the prosecutrix is recorded, the petitioner is at liberty to move the Sessions Court afresh seeking grant of regular bail.



8. The bail application stands disposed of in terms of the above.
9. It is clarified that this Court has not made any observation on the merits of the case, and all rights and contentions of the parties in any future applications are left open.

MARCH 27, 2026
'pv'/AD/

PRATEEK JALAN, J