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

+ **BAIL APPLN. 286/2026**

AJAY KUMAR IN JC

.....Petitioner

Through: Mr. Ashish Sheoran, Advocate with
brother of the applicant.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Digam Singh Dagar, APP for the
State with SI Snehlata, PS Aman
Vihar.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **30.03.2026**

1. Applicant seeks regular bail in case FIR No.365/2025 dated 23.05.2025, registered at Police Station Aman Vihar, for commission of offence under Section 137(2) of *Bharatiya Nyaya Sanhita* (BNS), 2023 (corresponding Section 363 IPC). Subsequently, in the charge-sheet, offences under Sections 64(2)/87 BNS, 2023 (corresponding Sections 376/366 IPC) and Section 6 of *Protection of Children from Sexual Offences* (POCSO) Act, 2012 were added.

2. FIR in question was registered on the basis of a complaint lodged by the mother of child-victim, who reported to police that her daughter was missing since 22.05.2025. During investigation, the child-victim was traced from one village situated at Bihar from the custody of the accused/applicant. She revealed in her statement that applicant had taken her away in a forcible manner claiming that he used to love her and would take her to Mumbai.

BAIL APPLN. 286/2026

1



However, instead she was taken to Bihar. She also claimed that since her parents were not in the house and the keys were with her, at the asking of applicant, she had taken away some articles and cash. She also claimed that accused had entered into a forcible marriage with her at Bihar and had made physical relation with her.

3. Her statement made under Section 183 BNSS, 2023 is also to the same effect.

4. Charges have already been framed and the next date before the learned Trial Court is stated to be 16.07.2026 and the child-victim is to be examined.

5. Learned counsel for the applicant submits that a false case has been foisted upon the applicant and it is a clear-cut case of consensual elopement.

6. According to him, the applicant and the child-victim were in romantic relationship for quite some time and both run away to get married and it is only on the pressure of some relatives or unknown persons that she has come up with false story of her being taken away, forcibly. It is also stated that the applicant is a young boy of 18 years of age only and has no prior involvement in any other case. According to learned counsel for the applicant, he is in jail since 24.06.2025 and since the investigational stage is already over and the case has already been committed, the applicant deserves to be released on bail.

7. As per the status report furnished by the prosecution, when the Call Detail Record (CDR) of the mobile numbers of the child-victim and the applicant were obtained and analyzed, it came to fore that the child victim had called applicant multiple times from the contact number registered in the name of his father and there was never any call from the side of the applicant to child victim.



8. On one previous date, when the child-victim had appeared before this Court, she had orally opposed the bail application but today there is no appearance from her side.

9. Keeping in mind the overall facts of the case and, in particular, the young age of the applicant and the fact that the investigational aspects are already over, the applicant is hereby admitted to bail on his furnishing personal bond in a sum of Rs. 25,000/- with one local surety of like amount, subject to the satisfaction of learned Trial Court/CJM/Duty Magistrate with following conditions:-

(i) The applicant would provide his Mobile Number to the concerned I.O and would ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.

(ii) The applicant shall not try to contact and influence child-victim or her family members, directly or indirectly.

(iii) The applicant shall attend the abovesaid case regularly.

10. The application stands disposed of in aforesaid terms.

11. 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

MARCH 30, 2026

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This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

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