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

+ **BAIL APPLN. 461/2026**

ARVIND

.....Petitioner

Through: Mr. J.P Singh, Mr. Sandeep Singh,
Ms. Priyanka Tomar, Mr. Hement
Sharma, Mr. Sahil, Mr. Uttam Attri
and Ms. Shivani Paliwal, Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State
Mr. Jai Ram Garg, Mr. Ritesh Goyal
and Mr. Siddhant Mehta, Advocates
for complainant

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

08.04.2026

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 187/2024, registered at Police Station Aman Vihar, Delhi for the commission of offences punishable under Sections 363/366/376/506/34 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (hereafter 'POCSO Act').

2. Briefly stated, the FIR in the present case was registered on the complaint dated 29.03.2024 made by Mr. 'P', father of the victim. In the said complaint, it was stated that his stepdaughter, Ms. 'A', aged about 15



years, had gone missing from her residence. Consequently, information regarding the missing child was circulated to SSPs/DCPs across India, and the particulars of the victim were uploaded on ZIPNET and shared with the CBI and the Missing Persons Squad. It is alleged that on 31.03.2024, the parents of the victim came to the Police Station along with the victim. During counselling, the victim disclosed that she had been staying with her friend, i.e., the accused/applicant herein, and that they had been living together as husband and wife. Thereafter, the victim was medically examined on 31.03.2024 at SGM Hospital, where she disclosed a history of sexual intercourse with the accused over the preceding four days. It is further stated that the victim had expressed her desire to marry the accused; however, when confronted by the victim's father, the accused refused. On the basis of the statement of the victim and the MLC, offences under Sections 366 and 376 of IPC as well as Section 6 of the POCSO Act were added. The accused was thereafter arrested and, by order dated 01.04.2024 passed by the learned Sessions Court, was remanded to judicial custody. The statement of the victim, Ms. 'A', daughter of Mr. 'P', was subsequently recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter 'BNSS') before the concerned Court, wherein she affirmed and corroborated her version of the incident. On 04.04.2024, the victim was produced before the Child Welfare Committee, Delhi, and in compliance with the directions of the said Committee, she was admitted to Rescue Foundation, Kanjhawala, Delhi. As per the school records, the date of birth of the victim is recorded as 25.03.2010. Upon completion of investigation, the charge sheet was filed before the learned Trial Court on 27.05.2024.

3. The learned counsel appearing for the applicant argues that the



applicant has been in judicial custody since 31.03.2024 and that the complainant, i.e., the father of the victim, has already been examined before the learned Trial Court. It is further submitted that the victim is presently not traceable. It is also contended that the victim herself had admitted to having a consensual and friendly relationship with the applicant, and that she had left the company of her parents and her home of her own free will due to alleged ill-treatment by them. It is thus prayed that the present bail application be allowed.

4. On the other hand, the learned APP for the State opposes the present bail application and argues that the allegations against the applicant are serious in nature. He further draws the attention of this Court to the impugned order rejecting bail, wherein the submission of the Investigating Officer (I.O.) is recorded to the effect that in the bail application filed before Trial Court, it had been averred that the victim had solemnised marriage after again going missing from her parental home; and thus, the applicant and his family members were aware of the current whereabouts of the victim but were deliberately not disclosing the same. The learned counsel appearing on behalf of the victim further submits that another FIR bearing No. 682/2024 has been registered on the complaint of the father of the victim.

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

6. The allegations against the applicant, in a nutshell, are that the victim, who was a minor at the relevant time, had gone missing from her residence and was later found to have been residing with the applicant, during which period the applicant had allegedly established sexual relations with her and had kept her away from the lawful guardianship of her parents.



7. Considering the overall facts and circumstances of the case, and in particular the fact that the victim in the present case is presently not traceable; that the complainant/PW-1 has already been examined before the learned Trial Court; that the applicant has no previous involvement as per SCRB; and that the present applicant has remained in judicial custody for a period of about 01 year and 09 months, this Court is inclined to grant regular bail to the applicant, subject to his furnishing a personal bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned, subject to the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if he has a passport, she shall surrender the same to the concerned trial court.
- ii) The applicant shall share his contact details (mobile numbers and residential address) with the IO/SHO and the Trial Court; and in case of any change in the said details, the applicant shall promptly inform the same to the concerned Court and the concerned IO/SHO.
- iii) The applicant shall appear before the Trial Court on every date of hearing unless exempted;
- iv) The applicant shall not indulge in any criminal activity;
- v) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

8. Accordingly, the present bail application stands disposed of.

9. It is, however, clarified that nothing expressed hereinabove shall



tantamount to an expression of opinion on merits of the case.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 08, 2026/ns

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