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

+ **BAIL APPLN. 521/2026**

GAUTAM SINGH

.....Petitioner

Through: Mr. V.C. Bharti, Mr. Rajinder Gulati,
Mr. Krishan Kumar, Mr. Himanshu
Prajapati, Ms. Sakshi, Mr. Rajnesh
and Mr. Ujjwal Gupta, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State along with SI Dev Rani.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

11.02.2026

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1. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of FIR bearing no. 06/2026, registered at Police Station Badarpur, Delhi, for the commission of offence punishable under Section 376 of the Indian Penal Code, 1860 (hereafter 'IPC').
2. Briefly stated, the facts of the present case are that the prosecutrix lodged a complaint alleging that she was working as a Process Developer in a company and had met the present accused through Jeevansathi.com. Thereafter, they exchanged their phone numbers and began communicating with each other through WhatsApp. Subsequently, they met at a hotel in New Delhi. It is alleged that, after assuring the prosecutrix of marriage, the accused established physical relations with her in November 2022.



Thereafter, they continued to meet each other at various hotels in Delhi, mostly at FabHotels, as well as at the complainant's residence, where the accused frequently stayed and established physical relations with the prosecutrix. The prosecutrix alleged that the accused maintained physical relations with her till June 2025. It is further alleged that whenever the prosecutrix raised the issue of marriage, the applicant/accused avoided the same on the pretext of financial difficulties. Later, the applicant herein allegedly began body-shaming the prosecutrix and told her that she was no longer compatible with him. It is also alleged that the applicant/accused had dishonestly taken money from the prosecutrix on the false pretext of marriage and had used an amount of ₹57,000/- using her SBI credit card. He had further purchased a motorcycle, mobile phone, laptop, etc., using her ICICI credit card, thereby spending a total amount of about ₹2.5–3 lakhs. The prosecutrix further alleged that the applicant had returned a part of the said amount to her. She further alleged that she later discovered that the applicant was already divorced and that he had concealed the fact of his divorce from her. It is further alleged that the present applicant/accused is still in possession of her ICICI credit card, her money, and the keys of her house. On these allegations, the present FIR came to be registered.

3. The learned counsel appearing for the applicant/accused argues that the applicant has been falsely implicated in the present case. It is contended that the prosecutrix and the applicant met through *Jeevansathi.com*, pursuant to which a consensual relationship developed between them, which stands corroborated by the WhatsApp chats exchanged between the parties. It is further argued that admittedly there exists a monetary dispute between the prosecutrix and the applicant, which led to the registration of the present



FIR. It is also argued that the applicant had received phone calls from the Investigating Officer and had met the Investigating Officer on 02.01.2026, prior to the registration of the present FIR. It is further argued that there is an unexplained delay of nearly three years in lodging the FIR. On these grounds, it is prayed that the applicant/accused be granted anticipatory bail.

4. The learned APP for the State, on the other hand, argues that the allegations against the present applicant are serious in nature. It is contended that the applicant established physical relations with the prosecutrix on the false promise of marriage. It is further argued that although the applicant/accused was divorced, he did not disclose this fact to the prosecutrix. It is also submitted that the applicant/accused had used money from the prosecutrix's SBI and ICICI credit cards, and that the said credit cards are still in the possession of the applicant/accused. The learned APP further submits that the custodial interrogation of the applicant is necessary for the recovery of the credit cards, house keys, and the articles purchased by the applicant using the money of the prosecutrix. Accordingly, it is prayed that the present bail application be dismissed.

5. The prosecutrix is present before this Court in person, who has reiterated that she was physically exploited by the accused herein on false pretext of marriage.

6. This Court has **heard** the arguments addressed on behalf of the applicant, as well as the State and the prosecutrix, and pursued the case file.

7. The allegations against the applicant/accused are that he had established a physical relationship with the prosecutrix on the false promise of marriage, which allegedly continued from November 2022 till July 2025. During this period, it is further alleged that the applicant/accused had taken



money from the prosecutrix for the purpose of securing a tender in PNB by using her SBI credit card, and had also used her ICICI Bank credit card for purchasing items such as a motorcycle and a laptop.

8. It is to be noted that the statement of the prosecutrix has been recorded under Section 183 of the BNSS, wherein she has corroborated the allegations made in her complaint.

9. Further, it is pertinent to note that, as per the allegations of the prosecutrix, the applicant/accused had cheated her of an amount ranging between ₹2.5 to ₹3 lakhs. It is also alleged that the credit cards and the house keys belonging to the prosecutrix are still in the possession of the applicant/accused.

10. It is also to be considered that the investigation is at a nascent stage, and the custodial interrogation of the applicant/accused is stated to be necessary, having regard to the serious nature of the allegations and for the purpose of recovery of the prosecutrix's credit cards and house keys. Moreover, it is noted that the applicant/accused has not joined the investigation.

11. The Hon'ble Supreme Court in case of **Sumitha Pradeep v. Arun Kumar C.K.**: 2022 SCC OnLine SC 1529, has held that the factors to be considered at the stage of grant of pre-arrest bail are (i) *prima facie* case against accused, (ii) nature of offence, and (iii) severity of the punishment.

12. Considering the overall facts and circumstances of the case, particularly the fact that the allegations against the applicant are of serious nature and that the credit cards and house keys of the prosecutrix are allegedly still in his possession, this Court is not inclined to grant anticipatory bail to the applicant.



13. Accordingly, the present application stands dismissed.
14. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.
15. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 10, 2026/vc
RB/GJ