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

+ **BAIL APPLN. 519/2026 & CRL.M.A. 3895-3897/2026**

RAJAT

.....Petitioner

Through: Mr. Meghan with Mr. Mohd. Ahmad
and Mr. Nitesh Mehta, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI AND ANR....Respondents

Through: Mr. Sunil Kumar Gautam, APP for the
State with Insp. Rajiv Ranjan, SHO,
Begam Pur, W/SI Nirmala, PS Bhajan
Pura.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

05.02.2026

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1. Applicant seeks regular bail in FIR No. 366/2024 dated 29.05.2024, registered at P.S. Begum Pur.
2. The case was registered on the basis of the statement made by the prosecutrix, who was more than 17 years of age, at the relevant time. Initially, FIR under Section 363 IPC was registered on the basis of the report lodged by the father of the prosecutrix. However, later on, when the prosecutrix was recovered, her statement was recorded. Charge-sheet has already been laid and accused/applicant, *vide* order dated 25.03.2025, has been charged under Sections 363/366/368/376(2)(n) IPC and Section 6 read with Section 5 *Protection of Children from Sexual Offences Act, 2012*.
3. Accused had been arrested on 20.10.2024 and it is also admitted fact that the trial is underway and prosecutrix and her father, both, have already

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entered into witness box.

4. The testimony of the prosecutrix has been placed on record and it is quite evident that she has not supported the case of prosecution at all and has retracted from the stand which she had taken during investigation. Despite cross-examination conducted by the prosecution, she remained adamant in her such stand taken in examination-in-chief and has not whispered anything incriminating against the applicant.

5. When the applicant prayed for bail before the learned Court of Sessions, his bail was, primarily, rejected for the reason that DNA report was still awaited. At the time of dismissal of such application on 22.01.2026, the victim had also appeared before the learned Trial Court along with her father and she had not, even, opposed the bail application, though her father was against release of applicant on bail.

6. Learned counsel for the applicant submits that applicant is in his late twenties and has no criminal antecedents of any nature, whatsoever, and no purpose would be served by keeping him behind the bars, particularly, in view of the hostile testimony of the prosecutrix.

7. The Investigating Officer SI Nirmala is present in Court and when asked, she submitted that victim has been apprised about pendency of the present bail application before this Court and since her sister is getting married, she is unable to come today.

8. Be that as it may, this Court cannot be oblivious of the fact that she had already given her no objection before the Court of Sessions on 22.01.2026 with respect to release of the applicant on bail.

9. Keeping in mind the overall facts and circumstances of the case, the testimony of the prosecutrix, young age of the convict, his previous clean



antecedents, without making any observation on the merits of the case as such, the applicant is admitted to bail on his furnishing personal bond in a sum of Rs. 25,000/- with one surety of like amount subject to the satisfaction of learned Trial Court/CMM/Duty Magistrate with the condition that he would not come in contact of prosecutrix and her family members, directly or indirectly. The applicant would also 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.

10. The application stands disposed of in aforesaid terms.
11. All the pending applications also stand disposed of.
12. A copy of this Order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

MANOJ JAIN, J

FEBRUARY 5, 2026

st/js