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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 720/2025 & CRL.M.A.5169/2025

VIKAS @ VICKY

.....Petitioner

Through: Mr. Aakash Kumar, Advocate
(*through video conferencing*)

versus

STATE, NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Suruchi.
Mr. Gaurav Sharma, DHCLSC
Advocate for victim.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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06.04.2026

1. The accused/applicant seeks regular bail in case FIR No. 235/2021 of PS Lajpat Nagar for offence under Section 376/376D/506 IPC and 4/6 of POCSO Act.

1.1 This bail application came up for the first hearing on 18.02.2025 before the predecessor bench and thereafter continued getting adjourned before different benches. Along with 179 such old pending bail applications, this application also was transferred to this bench.

1.2 Today is the first hearing before me.

2. Broadly speaking, allegation against the accused/applicant is that he forcibly raped a 13 years old girl. The FIR was registered on the statement of prosecutrix, alleging that she temporarily started living with her paternal aunt (*sister of her father*). There, the accused Vipin, husband of aunt of the



prosecutrix forcibly raped her multiple times. Co-accused Vijay Kumar, uncle of Vipin also raped her. Finally, she was raped by the present accused/applicant. In her FIR, the prosecutrix specifically described the manner in which she was raped.

3. Mr. Aakash Kumar, Advocate, counsel for accused/applicant, despite repeated requests, refuses to address arguments and submits that matter be passed over awaiting the other counsel, Mr. Vikash Padora, Advocate. As mentioned above, this application is pending for past more than one year. Fully knowing the condition of board of this court, counsel for accused/applicant seeks pass over so that once allowed, the matter may not reach till even 06:00pm.

4. At this stage, Mr. Aakash Kumar, Advocate, learned counsel for accused/applicant, on instructions, seeks permission to withdraw this application with liberty to file afresh before the trial court in view of change in circumstances.

5. As requested, the bail application and accompanying application are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

APRIL 6, 2026/ry