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

+ **BAIL APPLN. 1008/2026**

MOHD. MAKSOOD

.....Petitioner

Through: Mr. Prashant Singhal, Advocate.

versus

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

Through: Mr. Raj Kumar, APP for the State with
SI Azad Singh, PS Mayur Vihar.

Ms. Priyanka, Advocate for victim
with victim and her mother

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

24.04.2026

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1. Applicant seeks regular bail in case arising out of FIR No.497/2023 dated 14.10.2023, registered at P.S. Mayur Vihar PH-1, for commission of offences under Section 376(2)(n)/506 IPC and Section 6 of Protection of Children from Sexual Offences (POCSO) Act, 2012.
2. Learned counsel for the applicant submits that the prosecution story is false. He supplements that since charge-sheet has already been filed and material witnesses have also been examined, no useful purpose would be served by keeping the applicant behind the bars, who is in custody since 14.10.2023.
3. As per the allegations appearing in FIR, the applicant had sexually assaulted his own daughter on 17.09.2023 and thereafter also he continued to mistreat her on daily basis. It was in the abovesaid backdrop of allegations



that the applicant was arrested on 13.10.2023 and is facing trial.

4. The Investigating Officer is present with record.

5. During arguments, reference has been made to testimony of 'Smt. F' (PW-5) i.e. mother of child-victim wherein she simply claimed that her husband, under the influence of alcohol, had given beatings to his daughter 'Ms. R'. She did not state anything else. Despite there being exhaustive cross-examination by prosecution, she did not support the case of prosecution. The child victim i.e. PW-1/R though supported the case of prosecution in her examination-in-chief, but when she was cross-examined by the defence, she took a complete somersault and has gone to the extent of claiming that there was never any sexual assault upon her by her father. She also in her testimony claimed that she was above 18 at the time of the alleged incident.

6. Today also, 'Ms. R' as well as her mother are present in Court.

7. Keeping in mind the sensitivity of the matter, the matter was taken up in chamber and during interaction, they both stated that they would have no objection if the applicant is granted bail. 'Ms. R' reiterates that she had lodged report against her father as he used to quarrel and used to drink a lot and there was never any sexual assault upon her by him.

8. Fact, however, remains that there is no involvement of the applicant in any other case and since there is no likelihood of trial getting completed in near future and since material witnesses have already been examined, without expressing any opinion over the merits of the case, the applicant is directed to be released on bail on his furnishing personal bond in a sum of Rs.10,000/- with one surety of like amount subject to the satisfaction of concerned Trial Court/Chief Judicial Magistrate/Duty Judicial Magistrate First Class.



9. Application stands disposed of accordingly.
10. A copy of this order be sent to learned Trial Court and Jail Superintendent for information and compliance.

MANOJ JAIN, J

APRIL 24, 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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