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

+ **BAIL APPLN. 2190/2026, CRL.M.A. 17921/2026**

RAKESH CHAUHAN

.....Petitioner

Through: Appearance not given.

versus

THE STATE (GOVT. OF NCT OF DELHI)Respondent

Through: Mr. Shoaib Haider, APP for State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **08.06.2026**

1. First Bail Application under Section 482 BNSS has been filed on behalf of the Petitioner Rakesh Chauhan for grant of Anticipatory Bail in FIR No.0183/2026 dated 14.05.2026 under Section 64(1)/69/123 BNS, 2023 registered at Police Station Swaroop Nagar, Delhi.

2. As per the FIR, the Prosecutrix made a Complaint stating that since November, 2024 she and the Applicant became close while they were working in the same store and started meeting each other and even started talking on the phone till late night. On 29.11.2025 it was the birthday of the Applicant and he had hosted a small party at his house to celebrate the occasion. The Prosecutrix had also been invited to attend the party. The Applicant on the pretext of showing the house to the Prosecutrix, took her upstairs and offered her cold drink. After drinking, she became dizzy and fell unconscious. After a while she regained consciousness and suffered severe pain and she was not wearing any clothes. Then she enquired from the Applicant as to what he has done and that he had deceived and raped her and that she would file a written Complaint, he assured that he truly love her and would marry her soon and would talk to



the family. Thereafter, the Applicant repeatedly demanded money from the Prosecutrix and she gave approx. Rs.1 lakh after which Rs.40,000/- were transferred through Phone-pe and Rs.60,000/- were given in cash. The Applicant was, however, refusing to marry the Prosecutrix and was threatening to kill her.

3. The Applicant claimed that he has been falsely implicated in this case. It is submitted that he and the prosecutrix started helping each other economically and financially. Thereafter, they both decided to get married. Consequently, the Applicant and the Prosecutrix introduced each other to their respected family and started visiting their respected houses. The family members were fully aware of their relationship and had knowledge that they have decided to get married. The Prosecutrix is also aware that all the family members of the Petitioner are residing in a small house in Indraprastha Colony, Burari, Delhi admeasuring 50 sq. yds consisting of Ground Floor and First Floor. There are two separate rooms on Ground Floor wherein the Applicant, his parents and sister are living in one room, while the other elder brother Gajender Chauhan along with his family is living in the second room. On the First Floor second elder brother Prashant Chauhan along with his family is living. The Applicant had sought some time to marry the Prosecutrix on account of shortage of space in his house and was in the process of arranging separate accommodation to settle down with the Prosecutrix and the Prosecutrix was aware of the difficulty being faced by the Applicant due to the available space.

4. On the date of alleged incident i.e 29.11.2025, all the family members of the Applicant were present in the house to celebrate the birthday. The Prosecutrix had also come to attend the birthday party, after which the Applicant had dropped her at her house at around 10:30 P.M.



5. It is submitted that the incident, as stated in the FIR, never took place and it is a false and concocted story. There is a delay of 165 days in registration of FIR which is willful, intentional and deliberate. There are no specific reasons given to explain the delay. It is further submitted that after the date of alleged incident, the Prosecutrix and the Applicant had been meeting, enjoyed their food in Restaurants and even the gifts had been given by the Applicant. The Prosecutrix continued her home visit and she last visited the Applicant at his residence on 04.05.2026. All these facts have been concealed. There were frequent money transactions inter-se them both from their respective Accounts as per their needs till 31.03.2026. Hence, the Anticipatory Bail is sought.

6. The Prosecutrix is present in person who submits that she after the alleged incident had been approaching the Applicant for marriage and had even met the family members, but did not get any positive response. Eventually, she registered the FIR.

7. Learned APP for states that the Applicant has not joined the investigations and even NBW of the Applicant have been obtained. The Applicant's *bhabhi* has been approaching the Prosecutrix to settle the matter. The Bail is thus, opposed.

Submissions heard and record perused.

8. From the Complaint and the submissions made by the Prosecutrix, it is evident that it is a case of consensual relationship since November, 2024 and when the relationship went sour since the Applicant had some reservation about getting married immediately. The FIR has been registered. The Prosecutrix is 30 years old and had been working together with the Applicant in the same store, when they became friendly.

9. Considering the totality of circumstances it is hereby directed that in



the event of his arrest, the Petitioner/Applicant shall be admitted to bail by the Investigating Officer/Arresting Officer subject to the following conditions:

- (i) The petitioner shall furnish a personal bond in the sum of Rs.35,000/- with one surety in the like amount from a family member to the satisfaction of the Investigating Officer/Arresting Officer;
- (ii) The petitioner shall furnish to the Investigating Officer a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- (iii) If the petitioner has a passport, he shall surrender the same to the Investigating Officer and shall not travel out of the country without prior permission of this court;
- (iv) The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.

10. The Petition stands disposed of in the above terms.

NEENA BANSAL KRISHNA, J

JUNE 8, 2026/VA