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

\# **CNR No. DLHC010489962026**

\+ BAIL APPLN. 4318/2026

MANOJ KUMAR .....Petitioner

Through: Mr. Rajesh Kumar, Adv.

versus

THE STATE .....Respondent

Through: Mr. Satish Kumar, APP for the State with SI Aarif Alam, PS Pul Prahladpur.

CORAM:
HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

O R D E R

% 29.10.2026

1. Hybrid mode.

2. This is a bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') BNSS whereby it is sought that the applicant/accused should be given the liberty of being put on notice of at least a week i.e. 7 days in case arrest of the applicant is contemplated.

3. Status report has been filed by the prosecution. However, before looking further it is appropriate to have a brief idea of the allegations against the applicant. The crux of the complaint against the petitioner is that he forcibly took away the victim, who had discontinued her education after 8th standard and was learning 'mehandi' at an NGO Lifetime Foundation. On the fateful day i.e. 27.05.2026 while she was coming back from the house of

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her sister in Sangam Vihar, she was accosted by the present applicant, who was present alongwith his vehicle and when the victim was about to get into the bus, the applicant called her and in a way forced her to sit in his vehicle. In order to avoid any scene at the public place the victim seemingly relented and the applicant succeeded and forced her to sit in his car. He thereafter, intimidated the victim. Second incident took place after some time where the victim was going towards the office of the NGO, and Manoj again forced her to sit in his car. On that day, the victim was alone as prior to that she used to go alongwith her sister-in-law and mother as she observed that the applicant was stalking her. On that day, the applicant took the victim somewhere in the area of Okhla and molested the victim. When the victim started crying he extended threats to victim to kill her family members or to commit suicide and leaving a suicide note blaming her.

4. The matter was ultimately shared by the victim with her elder sister on 28.08.2026. Both the victim and her elder sister went to the house of the applicant to counsel him but instead wife of the applicant assaulted the victim and her sister. Thereafter, the applicant also abused the sister of the victim. As such forced by the circumstances the matter was reported to the police on 12.09.2026 but the applicant still did not mend his ways and kept saying that I will not leave her.

5. Against the backdrop of the facts and circumstances, the present application has been moved. The applicant has reportedly tried to influence the victim and telephonically called her but this fact has been clarified today by the Investigating Officer, by endorsing the fact that the telephone call was made but it was prior to the registration of the FIR and according to the applicant it was only to say ‘sorry’ to the victim.

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6. The applicant has not joined the investigation despite being notified and called by the Investigating Officer, which has hampered the progress of the investigation.

7. Learned counsel for the applicant has stated that the case has come into existence under some confusion as the parties are neighbours and the genesis of dispute lay somewhere else in the neighbourhood rivalry. Learned counsel for the applicant has assured that the applicant would not get into touch with the victim or any other witness or her family leave alone try to influence them. It is further stated that he shall shift his residence from the vicinity so as to avoid any inconvenience or bad blood amongst the parties. In view of these contentions, counsel for the applicant has sought that the applicant, who has otherwise clean antecedents, shall be protected and in the event of arrest the applicant may be released on bail. Incidentally the name of the Applicant/accused is written as Shyam Nand Rai in the prayer clause. It appears that the application is defective on these counts, inasmuch, as in the title of the application the applicant merely seeks notice in case his arrest is contemplated whereas in the prayer clause (A) not only the name of the accused has changed to Shyam Nand Rai but relief sought also got transformed.

8. Having considered the submissions made by the contesting sides especially the fact that the victim and her sister, being present in the Court, have vented their grievance that the applicant is not mending his ways whereas being a married man having children, he should desist from such behavior that too *qua* a minor girl. However, taking into account the fact that no physical assault was there no threat was extended and that the call made by the applicant to say sorry, as has been verified by the IO therefore, the

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application is granted and it is ordered that the applicant should be given notice of at least 7 days in case the Investigating Officer intends to arrest him. The applicant is called upon to join the investigation as and when required by the Investigating Officer. With these observations the applications stand(s) disposed of.

9. Copy be given to the applicant under the signatures of the Court Master.

VIMAL KUMAR YADAV, J

OCTOBER 29, 2026/ps

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