



2026:DHC:1311



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 16.02.2026

+ **BAIL APPLN. 2833/2025**

SAGAR

.....Petitioner

Through: Mr. Brijballabh Tiwari and Mr. R.S.
Tomar, Advocates.

versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Satinder Singh Bawa, APP for
State with SI Ramphool, PS
Ambedkar Nagar.Counsel for complainant *de facto*
(appearance not given)**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 134/2025 of PS Ambedkar Nagar for offence under Section 498A/406/354/504/509/34 IPC.

2. Broadly speaking, the accused/applicant is husband of the complainant *de facto*, who has lodged a lengthy complaint leading to registration of the FIR. In the FIR, there are allegations regarding dowry torture and criminal breach of trust related to *stridhan*. In paragraph 9 of the FIR, it is alleged by the complainant *de facto* that the accused/applicant used

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to carry out unnatural sex with her and capture the same in video format in his phone and used to threaten her that he would circulate those videos if she lodged any complaint against him before anyone.

3. Learned counsel for accused/applicant submits that the allegations against him are completely false. It is also contended that since with the usual routine allegations of dowry torture, the accused/applicant could not be sent to jail, the complainant *de facto* inserted paragraph 9 in the FIR so that he has to be arrested. It is also contended that the accused/applicant has surrendered both his mobile phones to the IO but nothing was found in the same. Learned counsel submits that the accused/applicant is ready to ensure that all his family members also handover their mobile phones to the IO.

4. The IO has not appeared. Even the SHO has not bothered to appear. SI Ramphool is present but is not aware about complete facts. Looking into old pendency of this application, I find it unjustified to adjourn.

5. Learned APP for State opposes the anticipatory bail application in view of serious allegations in paragraph 9 of the FIR and further submits that the mobile phones surrendered by the accused/applicant were shown to the complainant *de facto* but she stated that the mobile phone actually used by the accused/applicant was a different one.

6. Learned counsel for complainant *de facto* contends that accused/applicant does not have a fixed place of abode and has been shifting

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residences repeatedly, so cannot be granted anticipatory bail.

7. As mentioned above, in her lengthy complaint, the complainant *de facto* has levelled multiple allegations related to the alleged dowry torture and criminal breach of trust *qua stridhan*. Almost all those allegations are specific in nature, in the sense that the year, month, and even date of each incident has been mentioned. But when it comes to allegations in paragraph 9 of the FIR *qua* filming the unnatural sex, there is complete vagueness in the sense that not just the date, even month or year of the alleged filming has not been mentioned. Further, in her FIR, the complainant *de facto* made absolutely no whisper about the nature of the phone allegedly used while filming the unnatural sex and now, the complainant *de facto* tells the IO that the phones surrendered by the accused/applicant are not the ones used in filming the unnatural sex. Admittedly, neither of the surrendered mobile phones contains any objectionable material.

8. It would also be significant to keep in mind that even according to the complainant *de facto*, the accused/applicant had threatened to circulate those videos if she lodged any complaint. The present FIR was lodged in February 2025 and admittedly, the accused/applicant never shared any such alleged video with anyone, which *prima facie*, creates suspicion about truthfulness of such allegation.

9. Of course, the above material is yet to be tested before the trial court through full dress trial. But for present purposes, I do not find sufficient



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material to deny liberty to the accused/applicant. More so, in view of total laxity on the part of investigating authorities to oppose the present anticipatory bail application.

10. The application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be released on bail, subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the IO/SHO concerned. Of course, the accused/applicant shall join the investigation as and when directed in writing by the IO/SHO concerned.

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(JUDGE)

FEBRUARY 16, 2026/ry