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

+ **BAIL APPLN. 3178/2025**

SUMIT @ JHANDU

.....Petitioner

Through: Mr. D.K.Singh, Mr. Sidharth
Rathore and Mr. Virender Rajput,
Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for the
State
Ms. Shelly Dixit, Amicus curiae
for complainant

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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17.03.2026

1. By way of the present application, the applicant seeks regular bail in connection with FIR No. 48/2021 registered at Police Station Anand Vihar for offences punishable under Sections 377, 506, and 34 of the Indian Penal Code, 1860 ["IPC"], as well as Section 4 of the Protection of Children from Sexual Offences Act, 2012 ["POCSO"]. Subsequently, upon filing of the chargesheet, Section 174-A IPC was added and Section 4 of the POCSO Act was substituted with Section 6 thereof.
2. I am informed by Mr. D.K. Singh, learned counsel for the applicant, and Ms. Manjeet Arya, learned Additional Public Prosecutor for the State, that the victim, aged 9 years, has already been examined; the testimony of his mother has also been recorded, while the testimony



of his father is yet to be recorded. Ms. Arya further submits that these are the only material witnesses, the remaining witnesses being formal/official in nature.

3. In view of the aforesaid submissions, Mr. Singh seeks permission to withdraw the present bail application, without prejudice to the right of the applicant to approach the learned Sessions Court upon completion of the examination of the material witnesses or in the event of any undue delay in their examination.

4. However, Mr. Singh submits that the mother of the victim has failed to appear on several dates of hearing. Ms. Shelly Dixit, learned *Amicus Curiae* for the complainant, submits that the parents of the victim shall be advised not to seek any unnecessary adjournment before the Trial Court. Ms. Arya further submits that the prosecution shall also cooperate in the expeditious recording of evidence and disposal of the proceedings before the Trial Court.

5. The present bail application is dismissed as withdrawn, in terms of the above submissions.

6. It is made clear that this Court has not expressed any opinion on the merits of this matter or any application that may be filed before the learned Sessions Court, which shall be considered in accordance with law.

PRATEEK JALAN, J

MARCH 17, 2026
dy/SD/