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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4002/2025**
MOHD.FAHEEM AKRAM

.....Petitioner

Through: Mr. Shiv Nath Bind, Mr. Rajeev Kumar Deora, Mr. Wakil Kumar, Ms. Bushra Khatun and Dr. Prince Mohan Sinha, Advocates.

versus

THE STATE NCT OF DLEHI AND ANR

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State with SI Anju.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
11.03.2026

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1. Applicant seeks regular bail in FIR No.0318/2023 dated 17.06.2023, for commission of offences under Sections 363/376 IPC and Section 4 of *Protection of Children from Sexual Offence Act, 2012*, registered at P.S. Prem Nagar.

2. Briefly stated, as per the case of prosecution, the victim, who was hardly 15 years of age at the relevant time, has been sexually assaulted by the applicant herein. On the relevant date, when she was alone at her residence, the applicant came there at 9:00 P.M. and asked her to accompany him for roaming outside. When she refused, he, forcibly, took her to the residence of his friend-Armaan. The wife of Armaan was present at their house at the relevant time and she was sent upstairs and, thereafter, as per the prosecution

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story, there was forcible sexual assault upon the minor by the applicant.

3. The victim was dropped back at her residence by the wife of Armaan.

4. Fact remains that though the incident is dated 13.06.2023, the matter was reported to the police on 16.06.2023.

5. Learned APP for the State and learned counsel for the prosecutrix, however, oppose the bail application for the reason that the crime is heinous in nature and, moreover, the applicant is resident of the same locality and he may try to come in contact of the victim and her family.

6. Learned counsel for the applicant submits that the story is fabricated and there is no explanation as to why the matter was not reported to the police, immediately. He also submits that it looks completely improbable that from a busy and crowded residential area, the applicant would forcibly take her way, without being noticed by the public person. He states that there is nothing incriminating in FSL Result either. He submits that if applicant is enlarged on bail, he would not reside in the area where victim and her family reside.

7. Charges have already been framed and trial is under-way.

8. Out of total 17 witnesses, the prosecution has already examined 5 witnesses, including minor and her parents and, quite clearly, there is no likelihood of trial getting over in near future.

9. The Nominal Roll of the applicant has already been received from the Jail Authorities, which does not disclose any previous involvement of the applicant in any other case and as per Nominal Roll, applicant has already undergone more than 31 months of incarceration and since the material public witnesses have been examined, there is no real chance of his influencing or threatening them.

10. Keeping in mind the overall facts and circumstances of the case and the



period of incarceration, *albeit*, without making any observation regarding merits of the case, the applicant is, hereby, directed to be released on bail on his furnishing personal bond in a sum of Rs. 25,000/- with one surety of like amount, subject to the satisfaction of learned Trial Court/CJM/Duty Magistrate with the following conditions: -

- i. Applicant shall not reside in the area of Indira Enclave, Mubarakpur Dabas, Delhi.
 - ii. Applicant shall not try to meet and contact any family member of victim, directly or indirectly.
 - iii. Applicant shall provide his Mobile Number to the concerned I.O and shall ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.
11. Application stands disposed of.
 12. A copy of this order be sent to the concerned Court and also to the Jail Superintendent for necessary information and compliance.

MANOJ JAIN, J

MARCH 11, 2026/ss/js



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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