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

+ BAIL APPLN. 4017/2025  
ARUN

.....Petitioner

Through: Mr. Ajay Tyagi, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State.  
W/SI Simran, PS Patel Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **20.03.2026**

1. The petitioner seeks anticipatory bail in connection with FIR No. 244/2025 dated 11.06.2025, registered at Police Station Patel Nagar, District Central, New Delhi, under Sections 64(2), 127(3), 123, 308(2), 351(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"].
2. I have heard Mr. Ajay Tyagi, learned counsel for the petitioner, Ms. Manjeet Arya, learned Additional Public Prosecutor, and the complainant, who appears in person through video conference.
3. The prosecution case, as emerging from the status report dated 16.03.2026, is that, the subject FIR was registered at the instance of the complainant, who made allegations of sexual assault against the petitioner. She stated that she had met the petitioner on Instagram, after which he and his friend, Manjeet @ Manja, came to her house on 06.04.2025. They had brought some food, which she consumed after



which she fell unconscious. Upon gaining consciousness, she found herself unclothed, and her phone was in possession of the petitioner. It is alleged that the petitioner took photographs and videos while she was unconscious, and then threatened her with their circulation. Under this threat, she also paid various amounts to him. It is alleged that the accused persons stayed at the complainant's house until 12.04.2025, during which period the petitioner established forcible physical relations with her on several occasions. It is further alleged that, on 29.05.2025, the petitioner once again established a forcible sexual relationship and extorted money from the complainant at a hotel.

4. In support of the present application, Mr. Tyagi submits that the material placed on record by the prosecution shows that his telephone No. 9729039010 was at a different location, i.e. in Rohtak, Haryana, from 06.04.2025 to 07.04.2025.

5. Ms. Arya and the complainant, on the other hand, submit that, in the course of the investigation, the complainant's statement was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"], where she corroborated the allegations recorded in the subject FIR.

6. Ms. Arya also points out the content of the status report, wherein it is stated that the entry register of Hotel Relax Inn, which is stated to be the location of the alleged incident dated 29.05.2025, has been checked, and the CCTV footage shows that the complainant and the petitioner were both present there at a proximate time, on the intervening night of 29/30.05.2025. They are seen going upstairs together to a room in the hotel. Further, certain articles, including a cloth stated to have been used



by the petitioner to clean himself, have been sent to the Forensic Science Laboratory for investigation.

7. The prosecution also relies upon the bank statements of the complainant, which *inter alia* show a transfer of a sum of Rs. 7,03,000/- to the account of the petitioner and co-accused Ajay Gulia. Non-bailable warrants were also issued against the petitioner and the other two co-accused persons. Co-accused Manjeet @ Manja has since been arrested on 03.07.2025.

8. Although the Call Detail Records of the aforesaid telephone of the petitioner shows that he was at Rohtak on 06.04.2025 and 07.04.2025, Ms. Arya submits that investigation is still underway as to his personal presence at the location of the alleged incident, and the location of the telephone cannot conclusively establish his presence or absence at the site.

9. It is also pointed out that the petitioner has several other criminal involvements, details of which have been produced alongwith the status report, including offences under Section 452 and 506 of the Indian Penal Code, 1860 [“IPC”], read with Section 25 of the Arms Act, 1959 [FIR No. 472/2023 dated 17.07.2023, registered at Police Station Assandh, District Karnal, Haryana], as well as offences under Section 302 of the IPC [FIR No. 359/2012 dated 17.08.2012, registered at Police Station City Bahadurgarh, District Jhajjar, Haryana]. He has also been declared a Proclaimed Offender in one of the cases, as a result of which an FIR bearing No. 478/2023 has been registered against him at Police Station City Sohana, District Gurugram, Haryana, under Section 174A of the IPC.



10. Having regard to the nature of the offences alleged against the petitioner, the material available at this stage, and his prior criminal involvements, I do not consider it a fit case for grant of anticipatory bail. It is now well settled that the grant of anticipatory bail is an extraordinary remedy which must be granted with due circumspection, and the Court is required to balance the interest of the accused in his liberty with the public interest in a fair and effective investigation<sup>1</sup>. The Supreme Court has held that custodial interrogation is far more effective than interrogation, when the accused is clothed with protection of the Court. Reference in this connection may be made to the judgments *inter alia* in *State v. Anil Sharma*<sup>2</sup> and *P. Krishna Mohan Reddy v. State of Andhra Pradesh*<sup>3</sup>.

11. In the present case, the prosecution version is supported by the complainant's statement under Section 183 of the BNSS. Further, telephone connectivity, at least during a part of the period referred to in the FIR, is also *prima facie* shown. The bank account also shows transfer of various amounts from the complainant to the petitioner, which is consistent with the allegation of extortion. The investigation against the petitioner is still ongoing, and I am of the view that, in a case of this nature, the requirement of custodial interrogation cannot be ruled out at this stage.

12. For the aforesaid reasons, the present application for anticipatory bail is dismissed.

13. It is clarified that the observations made herein are solely for the

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<sup>1</sup> *Srikant Upadhyay and Ors. v. State of Bihar and Anr.*, (2024) 12 SCC 382; paragraph 30.

<sup>2</sup> (1997) 7 SCC 187, paragraph 6.



purpose of adjudication of the present bail application, and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

**PRATEEK JALAN, J**

**MARCH 20, 2026**

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<sup>3</sup> 2025 SCC OnLine SC 1157, paragraph 19.