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

+ **BAIL APPLN. 4138/2025**

SHAILESH TOMAR

.....Applicant

Through: Mr. B.S. Chowdhary, Ms. Sneh
Lata Rana & Ms. Monika
Chowdhary, Advocates.

versus

STATE (NCT) OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State.
SI Shailesh Tomar, SI Manisha
Meena, P.S. Maidan Garhi.
SI Akansha, P.S. Distt. Line South
East.
Mr. Pawan Kr. Bahl, Mr. Raj K.
Solanki & Mr. Subhash K. Anand,
Advocates for Complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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10.04.2026

1. By way of the present application, the applicant seeks grant of regular bail in connection with FIR No. 334/2025, registered at Police Station Maidan Garhi, District South, Delhi, for the offences punishable under Sections 74/75/79 of the Bharatiya Nyaya Sanhita, 2023, and Sections 8/12 of the Protection of Children from Sexual Offences Act, 2012.
2. I am informed that the evidence of the prosecutrix is not yet complete and the proceedings are next listed before the Sessions Court on 29.04.2026 for this purpose. Ms. Manjeet Arya, learned Additional Public Prosecutor, also submits that the prosecutrix's mother and other eye



witnesses are yet to depose.

3. Mr. B.S. Chowdhary, learned counsel for the applicant, submits that the prosecutrix did not appear on the last date of hearing. Mr. Pawan Kumar Bahl, learned counsel for the complainant-prosecutrix, states that she was unable to appear on one date of hearing due to a job interview, but assures the Court that she will appear before the learned Sessions Court on the next date of hearing, i.e., 29.04.2026.

4. Ms. Arya also states that prosecution will cooperate in the expeditious recording of evidence.

5. After some arguments, Mr. B.S. Chowdhary, learned counsel for the applicant, seeks permission to withdraw this application with liberty to approach the learned Sessions Court at the appropriate stage.

6. Having regard to these facts, the application is dismissed as withdrawn, with liberty to the applicant to move the learned Sessions Court at the appropriate stage.

7. It is made clear that it is for the learned Sessions Court to take a view on the merits of the matter and this Court has not made observation with regard to any future application that may be filed by the applicant.

PRATEEK JALAN, J

APRIL 10, 2026

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