



2026:DHC:1387



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 17.02.2026

+ BAIL APPLN. 4347/2025

SAHIL

.....Petitioner

Through: Mr. Ajay Sharma and Mr. Rahul,
Advocates.

versus

THE STATE OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with IO/SI Dipika.
Ms. Vasundhara, Advocate for
prosecutrix.+ BAIL APPLN. 4397/2025

AMANDEEP

.....Petitioner

Through: Ms. Radhika, Advocate (*through
video conferencing*) and Mr. Akash
Saini, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with IO/SI Dipika.
Ms. Vasundhara, Advocate for
prosecutrix.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicants seek anticipatory and regular bail in case FIR No.760/2025 of PS Adarsh Nagar for offence under Section 64(1)/123 BNS.

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The accused Amandeep, who has filed application for anticipatory bail was granted interim protection from arrest by the predecessor bench vide order dated 17.11.2025, while accused Sahil, who has filed application for regular bail was granted interim bail by the predecessor bench. As on date, both the accused/applicants are on interim protection from arrest.

2. I have heard learned counsel for both accused/applicants and learned APP for State assisted by IO/SI Dipika. I have also heard learned DHCLSC counsel for the prosecutrix.

3. Broadly speaking, the factual matrix as laid in the FIR registered on the complaint of the prosecutrix is as follows. The prosecutrix, aged about 19 years, came in contact with accused Amandeep through Instagram and they started interacting over the phone. In the month of July 2025, accused Amandeep asked the prosecutrix for meeting him but she declined the request. However, subsequently on a telephonic request of accused Amandeep, the prosecutrix met him at the gate of her college and they sat together in a restaurant near her college, after which she returned. Thereafter, they continued to interact. On 05.09.2025, the prosecutrix blocked the phone number of accused Amandeep because he was repeatedly calling her up, but after some time, she unblocked the number. The accused Amandeep called her up and invited her to a party on the occasion of his birthday on 09.09.2025 (*which date was subsequently rectified by the prosecutrix as 05.09.2025*). The prosecutrix and accused Amandeep met at

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the GTB Metro Station and he offered her a soft drink. Thereafter, accused Amandeep took her to Azadpur in a cab where he booked a room in Apple Hotel for which he used her identity card. Inside the room, they talked to each other for some time and accused Amandeep ordered food from mobile phone of the prosecutrix. After consuming food and soft drink, the prosecutrix started feeling dizzy as if she had been intoxicated. Thereafter, at night, accused Amandeep forced her to consume liquor and tried to kiss her but she stopped him, after which he forcibly raped her and also clicked her nude photos and videos. Next day, while leaving the hotel, he threatened to circulate those photos and videos if she disclosed about the incident to anyone. The accused Amandeep also administered her one I-pill and paracetamol as she was feeling quite weak. Thereafter, accused Amandeep again took her to the same hotel and again raped her. Thereafter accused Amandeep left her at the metro station and she returned to her hostel. On 14.09.2025, accused Amandeep called her outside the hostel on the pretext of deleting her pictures and videos. At that time, accused Amandeep in his car was accompanied by his friend Sahil whom she met for the first time. The accused Amandeep in his car, took her to a hotel near Apple hotel in Azadpur. All three of them, namely the prosecutrix and both the accused persons signed the records of the hotel and sat in the room for some time. The accused Amandeep made her consume liquor and thereafter, went out to fetch something. When accused Sahil tried to hug her, she objected and went to the other room. On 15.09.2025, both accused persons took the prosecutrix to Jind in a car from where accused Sahil went away and in the



evening, accused Amandeep took the prosecutrix to a hotel of his friend, where again he raped her. The accused Amandeep also told her that all her photographs and videos have been saved by him on his Apple ID. On 16.09.2025, accused Amandeep made her board a train from Jind to Delhi. Thereafter, on 18.09.2025, accused Amandeep again called her to Jind under the pretext of deleting her videos and photographs and took her to the same hotel. At that hotel, accused Amandeep asked her to get married with him but when she refused, he raped her. Thereafter, Amandeep called his friend Arman (*the third accused against whom chargesheet was filed without arrest*). Both Amandeep and Arman sat in the lap of the prosecutrix and clicked videos. In this manner, accused Amandeep detained her in the hotel for two days and on 20.09.2025, sent her back to Delhi in a train. Ultimately on 30.09.2025, the prosecutrix narrated the entire incident to her family and lodged the police complaint.

4. Against the above backdrop, learned counsel for accused/applicant Sahil contends that there is no allegation of rape or blackmailing against the accused/applicant Sahil, so he deserves to be released on regular bail.

5. Learned counsel for accused/applicant Amandeep contends that the prosecutrix filed application for rectification of the date 09.09.2025 only after he filed the present anticipatory bail application. It is also contended that the accused/applicant Amandeep knew the prosecutrix ever since school days. It is contended that the relationship between accused/applicant



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Amandeep and prosecutrix was a consensual relationship.

6. On the other hand, learned APP for State as well as learned DHCLSC counsel for prosecutrix strongly oppose the anticipatory bail application of accused/applicant Amandeep on the ground that the prosecutrix was tricked into the relationship without her consent. It is submitted that there are repeated instances of rape alleged in the FIR. It is also contended that the mobile phone of the accused/applicant Amandeep has been sent to FSL for retrieval of her objectionable pictures and videos besides their WhatsApp chats.

7. As described above, the prosecutrix has narrated date-wise incidents as well as specific allegations regarding forcible sexual intercourse with her by accused Amandeep and her nude pictures and videos clicked by him. The prosecutrix specifically alleged having been subjected to forcible sexual intercourse by accused Amandeep on specific date, and even thereafter repeatedly on the pretext of deleting her nude pictures and videos. The prosecutrix specifically stated in the FIR that initially, on trust she accompanied the accused/applicant Amandeep to celebrate his birthday, but he raped her and even clicked her nude pictures and videos, with the help whereof he started blackmailing her and repeatedly raped her. In view of her educational status as medical student, apparently she tolerated with the hope that she would come out of his clutches after deletion of her nude pictures and videos, but she continued getting raped. So far as accused Amandeep is

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concerned, the allegations are extremely serious, though need to be tested through trial. Grant of anticipatory bail in such a case would not be appropriate.

8. But so far as accused Sahil is concerned, the allegation against him is only to the extent that he accompanied the prosecutrix and accused Amandeep to a hotel and tried to hug her.

9. Considering the above circumstances, the anticipatory bail application of accused Amandeep is dismissed, but regular bail application of accused Sahil is allowed. The accused Sahil is admitted to 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 learned trial court. The accused Amandeep, who was on interim protection from arrest till date, is directed to surrender by tomorrow (18.02.2026).

10. It is specifically directed that accused Sahil shall not try to contact the prosecutrix or her family in any manner whatsoever, failing which appropriate consequences shall follow.

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(JUDGE)

FEBRUARY 17, 2026/ry

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