



2026:DHC:173



01:00pm when she returned home from work the prosecutrix was crying and on being asked, the prosecutrix disclosed the incident. According to the prosecutrix, on the said day at about 12:00 noon the accused/applicant, who is their neighbour came to her *jhuggi* when her mother had gone for work and offered her money for sex and pulled her hand and touched it on his own chest to which she objected, so after threatening her the accused/applicant went away. There is no other allegation against the accused/applicant.

3. Learned counsel for accused/applicant submits that he has been falsely implicated in this case as mother of the prosecutrix, staying in the *jhuggi* as a tenant wants to usurp the same. It is further submitted by learned counsel for accused/applicant that accused/applicant is in custody since 24.05.2025 and no purpose would be served by keeping him in jail.

4. It is submitted by learned APP that it is a case of aggravated sexual assault punishable with imprisonment above 05 years which may extend to 07 years. However, learned APP for State and learned *amicus curiae* also in all fairness submit that there is no further allegation against the accused/applicant. It is apprised by them that the charges have already been framed.

5. Of course, the act alleged against the accused/applicant is completely wrong and would have caused scare in the mind of the prosecutrix, but a delicate balancing has to be carried out with the liberty sought by the accused/applicant.

BAIL APPLICATION 4392/2025

Page 2 of 3 pages

GIRISH
KATHPALIA

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=9401588902707752656f8e46c4556f8f932c0b4
835843397626caca, ou=HIGH COURT OF DELHI, CN=
7047638, postalCode=110003, st=DL,
serialNumber=dh0878645144557535451557099604080c0d
2ee0504324879059801a26fa, cn=GIRISH KATHPALIA
Date: 2026.01.09 17:41:28 +05'00'

Signature Not Verified
Digitally Signed
By: NEETU N NAIR
Signing Date: 09.01.2026
17:41:28



2026:DHC:173



6. Learned APP for State submits that the accused/applicant be directed to stay completely away from the prosecutrix and her family.

7. Considering the above circumstances, the bail application is allowed and accused/applicant is directed to be released on 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 Trial Court. Accompanying application also stands disposed of. Further, it is strictly directed that the accused/applicant shall not contact the prosecutrix or any member of her family in any manner whatsoever, failing which, appropriate consequences shall follow.

8. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH
KATHPALIA**

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401dd889b27a77b2f65ffffe4a
fec45569af3962c6fb4835d435f97626ca
cca, ou=HIGH COURT OF DELHI, CID -
7047638, postalCode=110003, st=Delhi,
serialNumber=d3e86796451ec45c07b5
d15570996b40f80cbd2eee60402c4879
65ff801e26fa, cn=GIRISH KATHPALIA
Date: 2026.01.09 17:39:45 -08'00'

**GIRISH KATHPALIA
(JUDGE)**

JANUARY 9, 2026/as