



\$~55

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

+ **BAIL APPLN. 309/2026**

S.M.

.....Petitioner

Through: Mr. Manish, Advocate

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Nitesh Mahiya, PS Sagarpur

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

23.01.2026

%

1. The accused/applicant seeks bail in case FIR No. 409/2019 of PS Sagarpur for offence under Section 376 IPC and Section 6 POCSO Act.
2. Broadly speaking, the allegation against the accused/applicant is that he raped his real sister, who was minor in age and mentally challenged. Further, the girl got pregnant and DNA comparison also came against the accused/applicant.
3. After addressing partly, learned counsel for accused/applicant seeks permission to withdraw this bail application.
4. Accordingly, the Bail Application is dismissed as withdrawn.
5. However, looking into Annexure P-6, which is medical documents of the accused/applicant, the concerned Jail Superintendent is directed to ensure appropriate medical treatment to the accused/applicant in jail or, if required, from any hospital attached with the jail.



6. Copy of this order be sent to the concerned Jail Superintendent.

GIRISH KATHPALIA, J

JANUARY 23, 2026/as