



2026:DHC:8258



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

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Date of Decision: 24.09.2026# **CNR No. DLHC010459492026**+ **BAIL APPLN. 4054/2026, CRL.M.A. 29997/2026 & CRL.M.A. 30039/2026**

SACHIN @ NAVEEN

.....Petitioner

Through: Mr. Amit Kumar, Ms. Khushboo
Sharma, Mr. Rohit Verma, Mr. Kartik
and Mr. Utkarsh, Advocates.

versus

STATE GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with W/SI Ambika Singh Yadav and
SI Ram Singh, PS S. B. Dairy.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 818/2025 of PS Shahbad Dairy for offence under Section 74/75/76/65(2) of BNS and Section 6/12 of POCSO Act.

2. Broadly speaking, the allegation against the accused/applicant is that he raped 10 year old neighbouring girl after administering her some

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intoxicant in a toffee. As per prosecution case, the child victim along with other children of the locality used to go to the house of the accused/applicant to watch television. On 24.11.2025, after the remaining children left, the accused/applicant called the child victim back and gave her toffee due to which she lost consciousness and was raped. On 26.11.2025, the child informed her parents, who took her to Maharishi Valmiki Hospital for medical examination. Subsequent to that, on 27.11.2025 itself, the present FIR was registered.

3. Against the above backdrop, learned counsel for accused/applicant submits that he is innocent and no incident as alleged by prosecution side took place. It is submitted by learned counsel that, admittedly, no injury was found on the child at the time of her medical examination. It is also submitted that if the alleged history as recorded in MLC is compared with the FIR, it would be found that there are a number of contradictions pertaining to the timeline. Learned counsel also submits that in supplementary chargesheet, the CCTV footage was filed which depicts that the child victim went away with the remaining children. It is also stated that since the accused/applicant is living with his family including his mother, it is not possible to believe that he would have committed such an act.

4. Learned APP for State assisted by IO/SI Ambika accepts notice and strongly opposes the bail application.

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5. At the outset, it would be significant to note that earlier bail application filed by the accused/applicant was withdrawn by him on 25.08.2026 from a coordinate bench of this Court. In this regard, learned counsel for accused/applicant submits that subsequent to that withdrawal, circumstances have changed in the sense that mother of the prosecutrix has been examined in trial.

6. Admittedly, the prosecutrix as well as her mother have fully supported the prosecution case.

7. So far as the contention of learned counsel that it is a false case, in response to a specific query, learned counsel for accused/applicant submits that he is not aware as to why the prosecutrix and/or her mother would falsely allege such grave offence against the accused/applicant. Rather, it is stated that there was no enmity between the two families. However, observations in this order have been recorded only to deal with the contentions raised and it is made clear that the trial court shall take independent view on the basis of evidence adduced during trial.

8. Considering the overall circumstances, especially the relationship of trust that existed between the accused/applicant and the child victim, coupled with gravity of the alleged offence, punishment for which can be up to death or life imprisonment also, I do not find it a fit case to release the accused/applicant on bail.

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9. Therefore, the bail application and the accompanying applications are dismissed.

10. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant.

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(JUDGE)

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