



2026:DHC:5246



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

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Date of Decision: 01.07.2026

+ **BAIL APPLN. 2373/2026 & CRL.M.A. 18477/2026**

SAURABH TRIPATHI

.....Petitioner

Through: Mr. Prashant Ghai, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with IO/SI Ekta.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The applicant/accused seeks interim bail in case FIR No. 733/2020 of Police Station Uttam Nagar for offence under Section 376 of IPC and Section 6 of POCSO Act.
2. Broadly speaking, the allegation against the accused/applicant is that he committed penetrative sexual assault against an 08 year old girl child, who had been visiting the accused/applicant for taking tuitions.
3. Learned counsel for accused/applicant submits that earlier also, the



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accused/applicant was being granted interim bail for the purposes of his examination and further by way of order dated 01.06.2026, the learned Vacation Judge also granted interim bail so that the accused/applicant could take the examination. It is submitted that for career of the accused/applicant, he deserves to be granted interim bail so that he may take the examination on 08.07.2026.

4. Learned APP assisted by IO/SI Ekta Yadav accepts notice and strongly objects to the application on the ground that trial has almost concluded in the sense that the IO also has been partly cross-examined before the trial court, so there is an apprehension that the accused/applicant would jump bail, especially because the forensic evidence and DNA profiling are against the accused/applicant.

5. Besides that, it is not explained as to why the accused/applicant did not request the concerned authorities to allot him an examination centre inside the jail.

6. Considering the overall circumstances and balancing the rival rights, the present interim bail application and the accompanying application are disposed of directing that on 08.07.2026 from 10:00am to 07:00pm, the accused/applicant shall be taken in custody to the examination centre, particulars whereof have inadvertently not been disclosed in this application, though the IO submits that she is aware about the examination centre. In



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order to ensure due compliance by the jail authorities, the accused/applicant shall furnish a copy of the Hall Ticket/Admit Card of the Indira Gandhi National Open University to the concerned Jail Superintendent as soon as possible.

7. It is made clear that none of the above observations shall be read to the prejudice of defence of the accused/applicant during trial.

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

**GIRISH KATHPALIA
(JUDGE)**

JULY 01, 2026/ry