



2025:DHC:6460



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

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*Date of Decision: 05.08.2025*

+ **BAIL APPLN. 2198/2025**

SATYAM CHAUHAN

.....Petitioner

Through: Mr. R.D. Singh, Advocate.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State with  
IO/SI Rashi, PS Burari  
Mr. Sunil Kumar, Advocate for R-2.

**CORAM: JUSTICE GIRISH KATHPALIA**

**J U D G M E N T (ORAL)**

1. The accused/applicant seeks anticipatory bail in case FIR No. 421/2025 of PS Burari for offence under Section 69 of BNS. Broadly speaking, the allegation against the accused/applicant is that under false pretext of getting married, he established sexual relations with the prosecutrix, aged about 19 years but thereafter, he backed out.

2. Learned APP has submitted the status report dated 28.06.2025, which is accepted across the board, to be scanned and made part of the record. Advance copy of the same was already supplied.

3. On behalf of accused/applicant, it is contended that he is innocent as



the sexual relations between the accused/applicant and the prosecutrix were purely consensual. Learned counsel for accused/applicant contends that the transcript of chats between the accused/applicant and the prosecutrix reflects that the prosecutrix already had a boyfriend, so there was no question of her being allured with assurance of marriage. Rather, according to the accused/applicant, within few months, the prosecutrix was about to get married to her boyfriend. It is also contended that as recorded on the last date, the accused/applicant had already lodged a complaint (*Annexure P-6*) with PS Burari, levelling blackmail and other allegations against the prosecutrix.

4. Learned APP assisted by learned counsel for the prosecutrix and IO/SI Rashi, strongly opposes this application, submitting that the said chats do not reflect that the prosecutrix had a boyfriend. As regards Annexure P-6, learned APP has taken me through the record in support of her contention that the said complaint was wrongly filed with PS Karol Bagh only to create a defence because by that time, the accused/applicant had come to know about the initiation of the present FIR. Further, learned APP points out that on 30.05.2025, counsel for the accused/applicant after addressing partly, withdrew the similar anticipatory bail application bearing Bail Application no.2174/2025 and there being no change in circumstances, the present application is liable to be dismissed.

5. As regards the earlier anticipatory bail application dismissed as withdrawn on 30.05.2025, learned counsel for accused/applicant submits that the same was withdrawn with liberty to file fresh application before the



Court of Sessions and when the same was filed there, the Court of Sessions dismissed the application.

6. Order dated 30.05.2025 of the coordinate bench of this court in Bail Application No.2174/2025 is Annexure P-7, but the same nowhere mentions any liberty sought or granted. Rather, it appears that after hearing the above noted arguments, the coordinate bench of this court was not inclined to grant anticipatory bail, so the accused/applicant withdrew the same. It appears that the earlier application for anticipatory bail was withdrawn so that the accused/applicant would surrender but that was not done. I find substance in the submission of learned prosecutor that there is no change in circumstances, so the present application would not be maintainable.

7. Further, even the manner in which the accused/applicant tried to fabricate a defence by way of lodging a complaint subsequent to the initiation of FIR registration proceedings would *prima facie* show his complicity.

8. Besides, I have also examined the chats between the accused/applicant and the prosecutrix but I am unable to find it to be a case where the prosecutrix already had a boyfriend, so there was no occasion for her to get allured with false promise of marriage. As clearly stated by the prosecutrix in her FIR, she initially met the accused/applicant through a common friend, after which they exchanged phone numbers and became friends; and thereafter, the accused/applicant started pestering her for marriage, for which she agreed, leading to their sexual intimacy and



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culminating into his decision of walking out of the relationship after exploiting her sexually.

9. It is also informed by the IO that proceedings to declare the accused/applicant a Proclaimed Offender have already commenced, since despite efforts, the non-bailable warrants could not be executed against him.

10. In the above circumstances, I do not find it a fit case to grant anticipatory bail. The anticipatory bail application is dismissed.

**GIRISH KATHPALIA  
(JUDGE)**

**AUGUST 5, 2025/ry**