



2026:DHC:208



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

% *Date of Decision: 12.01.2026*

+ **BAIL APPLN. 94/2026 & CRL.M.A. 814/2026**

SANJEEV KUMAR

.....Petitioner

Through: Mr. Shubham Singh and Mr. Ankur Yadav, Advocates

versus

THE STATE GOVT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State with IO/SI Shiksha, PS Dwarka
Mr. Vikas Kumar and Ms. Bandana Rai, counsel for complainant *de facto*.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No. 449/2025 of PS Dwarka South for offence under Section 69 of BNS.
2. Broadly speaking, the allegation against the accused/applicant is that he indulged in sexual relations with the complainant *de facto* multiple times and filmed each such encounter and started blackmailing her.
3. It is contended by learned counsel for accused/applicant that there is



no allegation of forced or fraudulent sex. It is also contended that in two hotels, where the alleged sexual activity was carried out and voluntarily filmed, had been booked by complainant *de facto* herself.

4. Learned APP on instructions of IO/SI Shiksha opposes the bail application on the ground that the accused/applicant has not surrendered his mobile phone for investigation.

5. To this, learned counsel for accused/applicant refers to Annexure-IV (*collly*) which is the weblinks of various pieces of evidence including handing over of his mobile phone to a friend of the complainant *de facto*. On this, the IO admits that the mobile phone has been received by her.

6. Learned counsel for complainant *de facto* submits that the accused/applicant kept assuring the complainant *de facto* that he would get married with her and under this pretext he kept taking loan totalling to the tune of Rs.32,00,000/-, out of which approximately Rs.8,00,000/- was through online banking and the remaining was in cash, drawn by the complainant *de facto* from her parents' account.

7. The IO/SI Shiksha submits that she needs custody of the accused/applicant to recover articles namely bed, TV, washing machine, gold chain, rings, watches, fridge, earpods, heater, mixer, clothes, mandir, etc. Learned counsel for accused/applicant submits that the accused/applicant is always ready to join investigation as and when directed in writing by the IO and in any case, he has already joined the investigation.



2026:DHC:208



8. Going by the articles, for recovery whereof custodial interrogation is sought by the IO, the case *prima facie*, appears to be something else and different from what is stated by the complainant *de facto* in her complaint/FIR.

9. Considering the above circumstances, I find no reason to deprive the accused/applicant liberty.

10. The application is allowed and it is directed that in the event of his arrest, the accused/applicant shall 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 IO/SHO. Accompanying application also stands disposed of.

**GIRISH KATHPALIA
(JUDGE)**

JANUARY 12, 2026/as