



2026:DHC:458



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 19.01.2026*+ **BAIL APPLN. 4415/2025 & CRL.M.A. 34133/2025**

YOGESH@MONU@HARVINDER

.....Petitioner

Through: Mr. Jaiveer, Mr. Irshad, Mr. Umesh
and Mr. Manish, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Inspector Umesh Yadav, PS
Special Staff, South District and SI
Dharm Singh, PS Maidan Garhi.
Parents of the prosecutrix in person.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks interim bail in case FIR No.201/2021 of PS Maidan Garhi for offence under Section 376 IPC & 9/10/6/21 of POCSO Act. The purpose of seeking interim bail is so that the accused/applicant may try for ensuring progeny with his wife. According to the prosecution case, the minor girl allegedly raped by the accused/applicant also gave birth to a child, whose paternity was allegedly established on the basis of DNA analysis. The prosecutrix as well as the said child are stated to have now passed away.



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2. Learned counsel for accused/applicant submits that the accused/applicant was earlier also released on interim bail on two occasions and he duly surrendered, so he deserves another interim relief in the same manner.
3. Learned APP, on instructions of IO/Inspector Umesh Yadav, submits that the prosecutrix as well as her child born after her sexual encounter with the accused/applicant have passed away. The parents of the prosecutrix also have appeared and they strongly oppose this interim bail application.
4. According to the prosecution case, the accused/applicant, aged about 25 years allegedly committed forcible penetrative assault on the victim, aged about 13 years and the DNA analysis found the accused/applicant to be the biological father of the child borne by the victim.
5. In the overall facts and circumstances of this case and the nature of offence as well as the ground for which the interim bail is sought, I do not find it a fit case to allow interim bail. The interim bail application as well as pending application are dismissed.

GIRISH KATHPALIA
(JUDGE)

JANUARY 19, 2026/dr