



2026:DHC:3462



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

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Date of Decision: 25.04.2026+ **BAIL APPLN. 320/2026**

AKASH CHAUDHARY

.....Petitioner

Through: Mr. Dhananjai Kaushal, Advocate
(*through videoconferencing*).

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Pinki Rana, PS Malviya
Nagar.**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 594/2024 of PS Malviya Nagar for offence under Section 69/316(2) BNS.

2. On 27.01.2026, after preliminary hearing in presence of learned APP and the Investigating Officer, notice was directed to be issued to the prosecutrix. On the next date i.e., 10.02.2026, despite service of notice, none appeared on behalf of prosecutrix, but in the interest of justice and to ensure that prosecutrix does not remain unheard, the matter was adjourned to this day, making it clear that if the prosecutrix does not appear personally or



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through counsel or through videoconferencing, it shall be assumed that she does not want to oppose this bail application. Even today, in the earlier call, none appeared on behalf of prosecutrix, so matter was passed over directing the Investigating Officer/SI Pinki to call up the prosecutrix and ask her to join through videoconferencing or in person or through counsel. But in this second call, the Investigating Officer submits that the prosecutrix is not taking her regular phone call or even WhatsApp call. It seems prosecutrix has no objection if bail is granted to the accused/applicant.

3. Broadly speaking, the prosecution case as culled out of FIR dated 28.12.2024 is as follows. The prosecutrix, aged 26 years, met the accused/applicant, aged 27 years on the online dating app Bumble. Thereafter, they met in a cafeteria on 12.10.2024 when the accused/applicant promised to get married with her. After that the accused/applicant started living with her in her flat at Chirag Delhi, where they also made physical relations, which according to the prosecutrix were on the pretext of their getting married. Further, at request of the accused/applicant, the prosecutrix also paid online a sum of Rs. 1,80,000/- to 2-3 different accounts and the accused/applicant also took loans of Rs. 7,00,000/- approximately, making false promises that he would repay the same. When the prosecutrix started demanding to be paid back the money, the accused/applicant fought with her and left her flat on 29.11.2024. During the period when the accused/applicant was living in the flat of the prosecutrix, he also developed relations with another girl named Ms. 'X' (*name withheld in this order*). On being confronted, the accused/applicant threatened to send her pictures and



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videos to her father and after that he blocked her on every social media platform.

4. Against the above backdrop, learned counsel for accused/applicant submits that admittedly the prosecutrix is a grown up and educated lady having qualified B.Tech. It is also submitted that Bumble, through which the prosecutrix came in contact with the accused/applicant is admittedly a dating app and not a matrimonial app, so it cannot be said that the prosecutrix was under mistaken impression about the relationship between them. It is submitted by learned counsel that the accused/applicant and the prosecutrix were in live-in relationship and the sexual relations between them were with consent. It is also submitted by learned counsel for accused/applicant that the accused/applicant is in jail since 28.12.2024.

5. Learned APP for State assisted by the Investigating Officer opposes the bail application, but at the same time also expresses anguish at the conduct of the prosecutrix who has not even been responding to the calls of the Investigating Officer.

6. As mentioned above, the prosecutrix seems to have no objection if the accused/applicant is granted bail.

7. Considering the overall circumstances, especially the apparent nature of relationship between the accused/applicant and the prosecutrix as well as an unexplained delay of almost one month in registration of FIR after the



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accused/applicant deserted the prosecutrix, I find no reason to further deprive liberty to the accused/applicant.

8. Therefore, the bail application is allowed and the accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of the Trial Court.

9. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

APRIL 25, 2026/dr