



2026:DHC:748



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 30.01.2026

+ **BAIL APPLN. 414/2026 & CRL.M.A. 3150/2026**

AMIT@POINT

.....Petitioner

Through: Mr. Yugansh Mittal, DHCLSC and
Mr. Keshav Poonia, Advocate

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with IO/Inspector Sudhir Rathi and SI
Anju, PS NIA

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks regular bail in case FIR No. 1198/2024 of PS Narela Industrial Area for offence under Section 137(2)/65(1)/351 BNS, read with Section 6 of the POCSO Act.
2. Broadly speaking, the prosecution case is that the accused/applicant consistently over a period of time stalked and scared the 14 year old girl to develop relations with him. The FIR was registered on the basis of missing report lodged by father of the prosecutrix, suspecting that the prosecutrix



had been enticed away by someone. In the course of investigation, the prosecutrix was recovered and she gave a detailed complaint about the manner in which the accused/applicant took her to his friend's office and detained her overnight during which period he sexually assaulted her and even threatened her.

3. Learned counsel for accused/applicant submits that there are material contradictions in the statement of the prosecutrix recorded at different stages. It is contended that the accused/applicant is innocent and has been falsely implicated. Further, it is submitted by learned counsel for accused/applicant that he is in jail since 20.12.2024 and trial is yet to conclude.

4. Learned APP for State assisted by Investigating Officer/Inspector Sudhir Rathi strongly opposes the bail application on the ground of severity of offence. It is submitted by learned APP for State that all prosecution witnesses have supported prosecution case.

5. I have examined the testimony of the prosecutrix recorded as PW1 during trial. Keeping in mind the severity of offence, especially the manner in which the 14 year old girl was kidnapped and raped and also in view of the testimonies of public witnesses supporting the prosecution case, I do not find it a fit case to release the accused/applicant on bail at this stage. The bail application and the accompanying application are dismissed. Of course, nothing observed in this order shall impact merits of the trial.



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6. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant.

GIRISH KATHPALIA
(JUDGE)

JANUARY 30, 2026/as