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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 26.05.2026*+ **BAIL APPLN. 4503/2025**

GURNEET SINGH KOHLI

.....Petitioner

Through: Mr. Ganesh Mishra and Mr.
Labh Mishra, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar,
APP for the State**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J (Oral)**

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 326/2025, registered at Police Station Tilak Nagar, Delhi, for the commission of offences punishable under Sections 6/12 of the Protection of Children from Sexual Offences Act, 2012 (hereafter '*POCSO Act*') and Sections 64(2)(m)/75/78/87/137/351(3)/337/ 340/123/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').

2. Briefly stated, the facts of the present case are that the victim/prosecutrix had initially lodged a complaint dated 19.06.2025 at P.S. Tilak Nagar alleging repeated sexual assault by the present applicant Gurneet, who is related to her as her brother-in-law, being



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the husband of her cousin sister Navneet. In the said complaint, the victim had alleged that on 01.01.2025, while she was spending time with her friends at Pacific Mall, Netaji Subhash Place (NSP), the present applicant had called her and informed her that her sister was finally pregnant and that the family members were waiting for her. On this pretext, he had allegedly taken her to Hotel Lexus situated at Meera Bagh, Paschim Vihar. The victim alleged that the applicant had intoxicated her at the said hotel and had thereafter committed forcible sexual intercourse with her. Since the hotel in question was situated within the jurisdiction of P.S. Paschim Vihar and the mall initially disclosed by the victim fell within the jurisdiction of P.S. Subhash Place, the Inquiry Officer was of the view that no part of the alleged offence had taken place within the territorial jurisdiction of P.S. Tilak Nagar. Thereafter, the victim had approached the concerned Magistrate at Tis Hazari Courts and, pursuant to directions passed by the Court, a zero FIR came to be registered. During the course of further proceedings, a fresh statement of the victim was recorded, wherein she clarified that due to a clerical mistake she had earlier mentioned Pacific Mall, NSP, whereas she had actually met the applicant at Pacific Mall, Subhash Nagar.

3. In her fresh complaint, the victim stated that she was about 16 years of age and was studying in Class XII. She stated that her cousin sister Navneet was like her real sister since, after the death of her father, the victim's mother had taken care of Navneet. The victim stated that her interaction with the present accused/applicant had



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initially been limited and formal. However, around September, 2024, the applicant had allegedly started communicating with her casually through social media platforms including Snapchat. It was further alleged that on 01.01.2025, while the victim was present at Pacific Mall, Subhash Nagar with her friends, the applicant had called her and informed her that her sister was pregnant and that all family members were waiting for her. On this pretext, he had allegedly taken her to Hotel Lexus, Meera Bagh, Paschim Vihar, where he had used a forged Aadhaar Card bearing the photograph of the victim but the particulars of his wife Navneet, and had compelled the victim to sign the hotel register as his wife. The victim alleged that after taking her to the hotel room, the applicant had offered her a drink, after consuming which she had started feeling numb and anxious. It is alleged that the applicant thereafter had committed forcible sexual intercourse with her. The victim further alleged that when she had regained her senses after some time, she had noticed blood stains on the bedsheet and had experienced pain in her private parts. She further alleged that before allowing her to leave, the applicant had threatened her with dire consequences in case she disclosed the incident to anyone and had also threatened to upload her inappropriate photographs and videos on social media and other public platforms. The victim further alleged that thereafter the applicant had continued blackmailing her and had forced her to send nude photographs and videos to him, which she had unwillingly sent sometime around 03.01.2025 or 04.01.2025. She further alleged that on 28.01.2025 at about 07:10 AM, when she had reached near her



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school, the applicant had picked her up and, after threatening her, had taken her to Krishna Park Metro Station where he had forced her to change her school uniform in a public washroom. Thereafter, the applicant had again allegedly used the forged Aadhaar Card and had checked into Hotel Seven Star, Paschim Vihar, where he had committed sexual assault upon the victim from about 08:00 AM till 01:00 PM. The victim further alleged that a few days later, the applicant had shared her obscene photographs and videos with his wife Navneet, who had allegedly humiliated the victim by showing the said material to other family members, including their cousin brother Amanpreet Singh. It was further alleged that thereafter Amanpreet Singh had started stalking the victim, making derogatory remarks towards her and threatening to throw acid on her face. After preliminary enquiry, the present FIR was registered.

4. During investigation, the mobile phones of the accused persons as well as that of the victim were seized and sent to FSL for expert opinion. In her statement recorded before the learned Magistrate, the victim reiterated the allegations levelled in the complaint. On 21.07.2025, the victim had also handed over one pen drive allegedly containing relevant material in support of her allegations, which was seized by the Investigating Officer (I.O.). The victim had also produced one broken mobile phone, which she claimed was being used by her for communicating with the applicant, and the same was also seized. The victim further informed the police that the applicant had sent her obscene photographs and videos to her maternal uncle.



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On 26.07.2025, the maternal uncle of the victim was called for verification, who informed the police that Navneet Kaur had attempted to show him the obscene photographs and videos of the victim, though he had refused to view the same. The Call Detail Records (CDRs) were also collected during investigation, which, according to the prosecution, revealed telephonic contact between the victim and the applicant. The statements of the hotel owners/managers were also recorded and the hotel records, including registers and identity documents, were seized. The owner of Hotel Seven Star had produced the hotel record as well as the forged Aadhaar Card allegedly used for booking the room, which contained the photograph of the victim but the particulars of the wife of the present applicant. The CCTV footage regarding the entry and exit of the victim and the applicant at the said hotels could not be obtained as the incident was old. The I.O. also collected documents relating to the age proof of the victim, which revealed the age of victim as 16 years at the time of alleged incidents. It is stated that the FSL report in respect of the mobile phones of the victim and the accused persons is still awaited and charges are yet to be framed in the present case.

5. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and that the allegations levelled against him are motivated. It is contended that the statements made by the victim at different stages of investigation contain material inconsistencies, contradictions and improvements. It is further argued that an earlier complaint lodged by the victim had



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subsequently been withdrawn. The learned counsel further submits that there are discrepancies regarding the place of incident as, in the initial complaint, the victim had referred to Pacific Mall, NSP, whereas in her subsequent statement she had mentioned Pacific Mall, Subhash Nagar. It is also argued that the CDRs and mobile location details collected during investigation do not corroborate the allegations levelled by the victim. It is further contended that the chargesheet has already been filed, the investigation is substantially complete, and the trial is likely to take considerable time to conclude. It is also pointed out that the applicant has been in judicial custody since 18.07.2025. Accordingly, it is prayed that the applicant be granted regular bail.

6. The learned APP appearing for the State, on the other hand, opposes the present application and argues that the allegations against the applicant are serious in nature, involving repeated sexual assault upon a minor girl. It is argued that the statement of the victim recorded before the Magistrate as well as the material collected during investigation *prima facie* support the prosecution case. The learned APP further submits that the investigation has led to recovery of hotel records, the forged Aadhaar Card allegedly used by the applicant, electronic material produced by the victim, and CDR details showing contact between the victim and the applicant. It is therefore argued that, considering the seriousness of the allegations and the stage of the proceedings, the present bail application be rejected.



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7. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record.

8. In the present case, this Court is of the opinion that the contention regarding delay in registration of the FIR cannot, at this stage, be a ground to discard the allegations levelled by the victim. It is not disputed that the victim was about 16 years of age at the time of the alleged incidents and that the present applicant was in a position of trust in relation to her, being the husband of her cousin sister.

9. The allegations levelled by the victim, in a nutshell, are that on 01.01.2025, the applicant had called her on the pretext that her sister was pregnant and that the family members were waiting for her, but instead had taken her to a hotel situated at Meera Bagh where he had booked a room by using a forged Aadhaar Card bearing the photograph of the victim but the particulars of his wife. It is also the case of the prosecution that the same forged Aadhaar Card was again used by the applicant at Hotel Seven Star on 28.01.2025 and the said document has been seized during investigation from the hotel concerned. The hotel records collected during investigation *prima facie* corroborate the allegation that the forged Aadhaar Card had been used by the present applicant for booking rooms in both the hotels. The victim has alleged repeated sexual assault by the applicant at the aforesaid hotels and has further alleged that the applicant had continued blackmailing and threatening her on the



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pretext of circulating her inappropriate photographs and videos. According to the victim, on 28.01.2025, the applicant had picked her up from outside her school and had sexually assaulted her repeatedly between 08:00 AM and 01:00 PM at Hotel Seven Star. This Court also notes that the victim had narrated a similar history before the concerned doctor during her medical examination.

10. The allegations of the victim also disclose that she was continuously threatened and emotionally coerced by the applicant through alleged circulation of obscene photographs and videos, and that the said photographs and videos were also shown to her sister and thereafter circulated amongst certain relatives. In this regard, the statement of the maternal uncle of the victim has also been recorded by the I.O., wherein he had informed that co-accused Navneet had attempted to show him an inappropriate video relating to the victim, but he had refused to view the same.

11. As regards the discrepancy relating to Pacific Mall, this Court notes that the victim had subsequently clarified that she had mistakenly mentioned Pacific Mall, NSP in her earlier complaint instead of Pacific Mall, Subhash Nagar. At this stage, such discrepancy by itself cannot be sufficient to completely discredit the prosecution case, particularly when the surrounding circumstances and other material collected during investigation are also required to be considered, including the fact that the victim resides in close vicinity of Pacific Mall, Subhash Nagar.

12. This Court also takes note of the CDR analysis collected



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during investigation, which, as per chargesheet, reveals that on both 01.01.2025 and 28.01.2025, phone calls had been made by the present applicant to the victim prior to the alleged incidents. It is also pertinent to note that the location of the applicant's mobile phone on 28.01.2025, between about 09:00 AM and 03:00 PM, corresponded with the area where Hotel Seven Star is situated.

13. This Court further notes that the victim has handed over certain incriminating material in the form of a pen drive to the police. The mobile phones of the victim and the applicant have already been sent to FSL and the report is still awaited. Charges have not yet been framed and the trial is yet to commence. Therefore, considering the nature and gravity of the allegations against the present applicant, this Court does not find it fit to grant regular bail to the applicant, at this stage.

14. Accordingly, the present application stands dismissed.

15. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

16. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

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