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

+ BAIL APPLN. 2630/2023

SEIKH MOHAMMAD Petitioner

Through: Ms.Jyoti Gupta, Advocate.

versus

STATE Respondent

Through: Ms. Shubhi Gupta, APP for State.
SI Anil, PS Seemapuri.
Victim along with her mother present
in person.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
16.10.2023

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1. By way of the present application, the applicant seeks grant of bail in FIR No. 363/2023 under Section 354A/363/506 of the Indian Penal Code, 1860 (IPC) and Section 8 of the Protection of Children from Sexual Offences, 2012 (POCSO) registered at Police Station Seema Puri.
2. Learned counsel appearing for the applicant submits that the applicant was in a friendly relationship with the victim. It is further submitted that there are material contradictions in the various statements made by the victim at various points of time.
3. Learned APP opposes the present bail application on the ground that charges are yet to be framed and evidence of the victim is yet to be recorded. It is further stated that the victim has received threats from the applicant and the family members of the applicant have been harassing the victim and her



family members.

4. Victim, along with her mother, is present in Court and opposes the grant of bail.

5. I have heard the counsel for the parties.

6. As per the statement recorded of the victim, it appears that the victim and the applicant were in a friendly relationship. It is also to be noted that the victim was 17 years and 7 months old at the time of the alleged incident.

7. The applicant is a young boy of 22 years of age with clean antecedents.

8. As per the Status Report filed, the investigation of the case has been completed and the chargesheet has been filed.

9. In view of the aforesaid facts and circumstances and the fact that the trial is likely to take some time, the applicant cannot be kept under incarceration for an indefinite period of time. Therefore, this Court considers it fit to grant bail to the applicant.

10. For the forgoing reasons, the application is allowed and the applicant is directed to be released on furnishing a personal bond in the sum of Rs.25,000/- with two sureties of the like amount subject to the satisfaction of the Trial Court and further subject to the following conditions:

- i. The applicant shall not reside in the neighbourhood where the victim and her family members reside, nor shall he visit the said neighbourhood. He will furnish his new address to the Investigating Officer(IO) within one week.
- ii. Neither the applicant, nor his family members shall contact or threaten the victim and her family members in any manner directly or



- indirectly. In the event any such threats are received, it shall be communicated to the IO who shall promptly take remedial steps.
- iii. The applicant shall not leave the country without the prior permission of the Court.
 - iv. The applicant shall appear before the Trial Court as and when the matter is taken up for hearing.
 - v. The applicant shall join the investigation as and when called by the IO concerned.
 - vi. The applicant shall provide his latest/fresh mobile number(s) to the IO concerned, which shall be kept in working condition at all times and shall not switch it off or change the mobile number(s) without prior intimation to the IO concerned.
 - vii. The applicant shall intimate the IO regarding any change in his residential address.
11. Needless to state, that any observations made herein are purely for the purposes of deciding the question of grant of bail and shall not be construed as an expression on the merits of the case.
12. Accordingly, the application is disposed of.

AMIT BANSAL, J.

OCTOBER 16, 2023

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