

BAIL APPLICATION No. 1063/2026
STATE OF DELHI Vs. ARUN KUMAR
FIR No. 256/2026
PS: Vasant Kunj South
u/s 69 BNS

12.05.2026

(IN CAMERA PROCEEDINGS)

This is an application for grant of regular bail moved on behalf of applicant / accused Arun Kumar.

Present: Sh. Shiv Kumar, Ld. Addl. PP for the State.

Sh. Vineet Jindal and Ms. Urvashi, Ld. Counsels for the applicant / accused.

IO/WSI Monika is present with prosecutrix in person.

Ld. Counsel for the applicant submits that this is the first bail application of the applicant and the prosecutrix is aged about 36 years and post-graduate and she is very well aware of the development of relationship and there was no promise to marry as in the statement before Ld. Judicial Magistrate u/s 183 BNSS, she has specifically stated that applicant and prosecutrix does not have any commitment of marriage but only daily communication and contact, due to which physical relationship

: 2 :

with consent has developed. The FIR is registered after five months on the basis of afterthought motive to extort the applicant as he started his happy married life. It is further submitted that the life of the applicant got spoiled as he is P.hd and working in Prague and his whole life and family got destroyed due to the revengeful conduct of the prosecutrix while the relationship has developed initially without any promise to marry both being adult persons with their free consent. Lastly, it is submitted that to avoid flight risk of the applicant, the applicant will surrender his passport before the concerned Ld. JMFC. It is prayed that the application be allowed. The applicant shall abide by the conditions imposed by this court.

Per contra, the application is vehemently opposed by the Ld. Addl. PP for the State on the ground that there are serious allegations against the applicant. It is further submitted that initially the complaint was registered on the basis of complaint by prosecutrix then the same was corroborated by MLC. As far as her statement qua 183 BNSS is concerned, the same may be given under emotional stress. Investigation is at the initial stage. If the applicant is release on bail, he may threat the witnesses and tamper with the evidence. It is prayed that the application be dismissed.

IO submits that police custody of the applicant is not prayed till date by the prosecution and the applicant/accused is in

: 3 :

JC since 03.05.2026. It is also submitted by her that there is only one instance of physical relation between prosecutrix and applicant dated 26.12.2025. Separate statement of IO to this effect is recorded.

Arguments heard. Record perused.

As per FIR, brief facts of the present case in nutshell are like that on 02.05.2026, FIR u/s 69 BNSS was registered with regard to occurrence of offence dated 26.12.2025, Mr. Arun Kumar for sexual exploitation by deceitful promise of marriage, cheating and related offences. That proxecutrix/complainant 'A' aged about 36 years is constrained to approach the PS to lodge the complaint against the accused Mr. Arun Kumar, who, by deliberately misrepresenting his intention to marry her, has deceitfully induced her into a relationship and has sexually exploited her, causing her severe emotional trauma, mental agony, and irreparable harm to her dignity. That on 15.05.2025, the accused approached her through the matrimonial platform Shaadi.com by sending a request for a matrimonial alliance, which she accepted in good faith, believing him to be a genuine prospective match seeking marriage. That from the very inception, the foundation of their interaction was matrimonial in nature. Soon after the request was accepted, they began communicating regularly and shifted to WhatsApp for ease of interaction on Whatsapp No.- XXXXXX3603 by his WhatsApp

: 4 :

No. XXXXXX8843 (Arun Kumar) and their conversations were directed towards understanding each other for the purpose of marriage, wherein they discussed their respective families, caste compatibility, background, lifestyle, and expectations from a life partner, thereby clearly establishing that the relationship was being pursued with the intention of marriage. That during this period, the accused represented himself as a sincere and committed individual, stating that he had completed his PhD and was working abroad in Prague, and through his words and conduct created a strong and consistent impression that he intended to marry her. That as their interactions progressed, the accused repeatedly emphasized that they should spend time together, understand each other better, and accordingly plan their future, including marriage, and these assurances formed the very basis of her trust and emotional involvement. That in or around November 2025, the accused informed the complainant that he would be visiting India on the pretext of attending his brother's wedding, and upon his arrival, insisted that we meet in person so that they could take the relationship forward. That acting upon his request, the complainant agreed to meet him, and they met for the first time at a cafe in Delhi, where they interacted at length and he continued to speak in a manner consistent with a prospective life partner, reinforcing her belief that he intended to marry her. That thereafter, building upon the trust so created, the

: 5 :

accused continued to remain in contact with the complainant and requested her to meet him again, stating that they should spend more time together to understand each other better and to plan their future, including marriage. That relying upon his repeated assurances and the trust developed, she met the accused again on 26.12.2025, whereupon he took her to a hotel- OPO HOTEL VERTU in Mahipalpur and, on the pretext of strengthening their relationship and with assurances of marriage, he made physical relationship with the complainant promising that he will marry her. That the complainant state that her Consent for such physical relationship was not an independent or unconditional consent, but was entirely based on the belief created by the accused that he would marry her, and that the relationship was progressing towards marriage. That thereafter, she made repeated efforts to take the relationship forward formally by requesting the accused to involve his family; however, the accused deliberately avoided the same and continued to defer such involvement by stating that they should first understand each other completely and that the appropriate time for family involvement would come later. That whenever she raised the issue of finalizing marriage, the accused assured the complainant that he wished to focus on his career for the current year and settle professionally, and that thereafter they would plan their marriage accordingly, thereby continuing to maintain her belief in his intentions. That in April 2026, the

: 6 :

accused abruptly severed all communications with her, blocked her, and expressly instructed her not to contact or disturb him. The complainant was thereafter shocked to learn, through information obtained from Instagram, that the accused had already married another woman, and that his visit to India in April 2026 was in fact for the purpose of solemnising the said marriage, which fact he had deliberately concealed from her while continuing to engage and maintain relationship with her.

On perusal of FIR, it is clear that there is only one instance of physical relationship between the applicant and the prosecutrix and in the month of April 2026, the accused severed all communications with the prosecutrix and blocked her and expressly instructed her not to contact or disturb him. Further, in Section 183 BNSS statement before Ld. JMFC, the prosecutrix has stated that there was no commitment of marriage but only daily communication between them and physical relationship has developed between them with consent. In her 183 BNSS statement, it is also stated that, in between the applicant was also looking for further alliance, but he has not informed her. It is specifically stated by the prosecutrix that the applicant has not made any commitment for marriage with the prosecutrix and on social media she came to know about the marriage of applicant due to which she has made the complaint as she was emotionally attached to the applicant. Thus, looking to the overall facts and

: 7 :

circumstances of the case as well as statement of the prosecution, prima facie it appears to be a case of consensual relationship between two matured and adult persons. Further, no PC is asked till date by the IO, no fruitful purpose will be served by keeping the applicant behind the bars for indefinite period. In view thereof, let the applicant be released on bail on furnishing PB/SB in the sum of Rs.50,000/- to the satisfaction of Ld. JMFC/Link JMFC/Duty JMFC and further subject to following conditions :

- 1. The applicant shall not commit similar offence in future.*
- 2. The applicant shall intimate the Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.*
- 3. The applicant shall appear as and when the matter is taken up for hearing.*
- 4. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times and cooperate with the investigation.*
- 5. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witnesses in any manner.*
- 6. That the applicant shall surrender his passport before the concerned Ld. JMFC/ Trial Court.*

: 8 :

Nothing stated herein above shall tantamount as an expression of opinion on the merits of the case. The copy of the order be given dasti to the Id. counsel for accused / applicant and one copy of the order be sent to concerned Jail Superintendent.

Application is disposed of accordingly.

(SYED ZISHAN ALI WARSI)
Addl. Sessions Judge-04
Patiala House Courts
New Delhi/12.05.2026

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