



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2025
(@ SLP(CRL.) NO. 7576/2025)

ANASH

Appellant(s)

VERSUS

STATE OF NCT OF DELHI & ANR.

Respondent(s)

O R D E R

Leave granted.

This appeal challenges the order dated 08.05.2025 passed by the High Court of Delhi at New Delhi in Bail Application No.1787 of 2025.

Apprehending arrest in connection with the F.I.R. No. 130 OF 2025 registered at Police Station Wazirabad, District North Delhi for the offences punishable under Sections 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 ("BNS" for short) and Section 6 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO" for short), the appellant preferred an application before the High Court seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS" for short).

Said application for anticipatory bail has been rejected by the High Court *vide* the impugned order dated 08.05.2025. Hence, the instant appeal has been preferred.

By order dated 16.05.2025, this Court passed the following order: -

"Issue notice to the respondents, returnable on 17.07.2025.

Petitioner's counsel is permitted to serve the standing counsel for the respondent-State.

No coercive steps shall be taken as against the petitioner herein vis-a-vis FIR No.130 of 2025 dated 18.03.2025 of Wazirabad Police Station, North (Delhi) District."

Heard learned counsel for the appellant and learned senior counsel and learned ASG for the State and perused the counter-affidavit filed and other materials on record.

Learned counsel for the appellant submitted that the allegations under Section 64(2)(m) of the BNS (Section 376(2)(n) of the Indian Penal Code) as well as Section 6 of the POCSO Act are wholly frivolous; that in fact there was a consensual relationship between the parties. The appellant has cooperated with the investigation since the protection order was issued by this Court; that there is no criminal antecedent insofar as the appellant is concerned. Hence, the High Court ought to have granted the relief of anticipatory Bail. Therefore, the appeal may be allowed.

Per contra, learned senior counsel and learned ASG appearing for respondent-State with reference to the counter affidavit submitted that there is no merit in this appeal; that until the interim protection was granted by this Court, the appellant had not cooperated with the investigation. Consequently, there has been a delay even in the completion of the investigation and filing of the chargesheet. Therefore, the appeal may be dismissed.

Considering the circumstances on record, in our view, the appellant is entitled to the relief claimed under Section 482 BNSS.

We, therefore, allow this appeal and set-aside the order passed by the High Court. We direct that in the event of arrest of the appellant, the Arresting Officer shall release the appellant on bail, subject to furnishing cash security of the sum of Rs.25,000/- (Rupees Twenty-Five Thousand only) with two like sureties.

It is directed that the appellant shall extend complete cooperation in the ensuing investigation. The appellant shall not misuse his liberty and shall not in any way influence the witnesses or tamper with the material on record.

Any infraction of the conditions shall entail
cancellation of anticipatory bail granted to the
appellant.

With the aforesaid directions, the Criminal Appeal is
allowed.

....., J.
(B.V. NAGARATHNA)

....., J.
(K.V. VISWANATHAN)

NEW DELHI;
JULY 17, 2025

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 7576/2025
[Arising out of impugned final judgment and order dated 08-05-2025
in BA No. 1787/2025 passed by the High Court of Delhi at New Delhi]

ANASH

Petitioner(s)

VERSUS

STATE OF NCT OF DELHI & ANR.

Respondent(s)

(IA No. 126284/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 17-07-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Ms. Tanya Agarwal, AOR
Mr. Kamlesh Kumar Mishra, Adv.
Ms. Renu, Adv.
Mr. Ahsan Sanjar, Adv.
Ms. Shivani Verma, Adv.

For Respondent(s) Ms. Archana Pathak Dave, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Ms. Harshita Choubey, Adv.
Ms. Rajeshwari Shankar, Adv.
Mr. Piyush Beriwal, Adv.
Ms. Rekha Pandey, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The Criminal Appeal is allowed in terms of the
signed order.

Pending application(s), if any, shall stand disposed
of.

(RADHA SHARMA)

ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)

COURT MASTER (NSH)

(SIGNED ORDER IS PLACED ON THE FILE)