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

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Date of Decision: 22.09.2026# **CNR No. DLHC010270202026**+ **BAIL APPLN. 2388/2026****GAURAV JAISWAL**

.....Petitioner

Through: Ms. Rakhi Dubey and Mr. Bipin Dubey, Advocates.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC with WSI Shruti Saini with IO/SI Kajal Tyagi. Mr. Vineet Malhotra, Advocate (*through video conferencing*) for prosecutrix. Prosecutrix in person.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks bail in case FIR No. 1140/2025 of PS Karol Bagh for offence under Section 69/64(1)/79/75(2)/351(3) of BNS.
2. Broadly speaking, the allegation against the accused/applicant is that he raped the prosecutrix under false promise of marriage; and that he floated as many as 09 different profiles on the matrimonial website, one of which



profiles was to the extent of declaring himself a girl. Further, in one of those profiles, the accused/applicant went on to mention that the age of the desired partner can be from 18 years to 61 years, which also reflects his intentions.

2.1 On last date, it was submitted by learned APP during arguments that before the prosecutrix in an audio recording, the accused/applicant admitted having cheated a number of girls in a similar manner and also admitted having clicked obscene pictures of the prosecutrix. The said confessional audio recording which was handed over by the prosecutrix to the IO has now been presented before the trial court with the request for directing forensic analysis of the same.

2.2 Today, I have heard learned counsel for the accused/applicant and learned ASC for State as well as learned counsel for prosecutrix.

3. Learned counsel for accused/applicant submits that there is no cogent material to show that it is the accused/applicant who had created those 09 different profiles on the matrimonial website. It is also contended that the trial is at fag end and now only the IO remains to be examined but the trial is held up on account of delay in filing of the FSL report pertaining to the mobile phone of the accused/applicant. It is contended that the accused/applicant has a family to support and is facing incarceration since 06.11.2025. It is also contended by learned counsel that the prosecutrix is a grown up lady and it cannot be believed that she was induced into sexual



relationship on any false matrimonial promise.

4. On behalf of State, learned ASC has appeared to oppose this bail. On instructions of the new IO/SI Kajal Tyagi, it is explained by learned ASC that the accused/applicant is a dangerous predator, who has been cheating a number of girls by floating different profiles of vast ranges of age, occupation and qualification. It is further explained by learned ASC that many of the victims of the accused/applicant expressed reluctance to come in open but once the FSL report comes out, there shall be more complainants in this case. Learned ASC submits that this is not at all a fit case to grant bail to the accused/applicant, especially because the trial is at fag end so if granted bail, he would abscond. It is also explained by learned ASC that the previous IO, for reasons known to her did not take appropriate steps in investigation and also did not send the audio recorded confession of the accused/applicant for forensic analysis, which is the reason the IO was changed after submissions made by learned APP on last date before this Court.

5. The FIR in the present case was registered on 22.09.2025 on the complaint of the prosecutrix in which she narrated the incident as follows.

5.1 The prosecutrix met the accused/applicant in the month of October 2024 through a well known matrimonial website and they exchanged their contact numbers. The accused/applicant agreed to get married to her after he



was told about her previous divorce. Thereafter, they started meeting each other, so that they could know each other closely before getting married.

5.2 On 15.12.2024, the accused/applicant called the prosecutrix to Humayun Tomb for meeting and from there he took her to Hotel Anand, Karol Bagh, Delhi and insisted to have sexual relations with her. The prosecutrix refused to indulge in sex before marriage, but the accused/applicant took her into confidence and assured that they would spend entire life together. In this manner, the accused/applicant induced the prosecutrix and they entered into sexual relationship.

5.3 Again on 22.12.2024, the accused/applicant called the prosecutrix to Birla Mandir and then took her to Hotel Silver Palace, Paharganj, where he again sexually assaulted her on the pretext of getting married. Thereafter also, the accused/applicant continued to indulge in sexual relations with the prosecutrix on the pretext of getting married. But the accused/applicant continued to defer their marriage for one or the other reason.

5.4 Not just that, the accused/applicant also insisted that the prosecutrix should agree for a threesome sexual relation, for which she firmly refused.

5.5 On 03.08.2025, the accused/applicant called the prosecutrix to discuss about their marriage, but showed her the obscene photographs of hers, and blackmailed her, because of which she accompanied him to Hotel Ratiram



Palace, where he again indulged in sex with her threatening to circulate those photographs.

6. During the course of investigation, it came to light that the accused/applicant had created and operated 09 different profiles on the said matrimonial website using different names, particulars, mobile phone numbers and email IDs. Those profiles have been enlisted at page 03 of the status report dated 14.08.2026. As mentioned above, those profiles are of different ranges of age, different ranges of qualification and different ranges of occupation/income, which *prima facie* lends credence to the argument of learned ASC that the accused/applicant is a predator of innocent girls. Not only this, one of the profiles created by the accused/applicant is of a girl, to whom he named Sweta Sharma. All those profiles were created by the accused/applicant using his mobile phone number and his email IDs. The prosecution has examined a witness (PW-5) from the said matrimonial website before the trial court, who has proved that all those distinct profiles were created by the accused/applicant.

7. Further, as observed on last date, the accused/applicant had admitted having clicked objectionable pictures of the prosecutrix and having cheated a number of girls in similar manner. That admission made by the accused/applicant before the prosecutrix was audio recorded by her and she gave that recording to the earlier IO, but for reasons best known to her, the IO did not make that audio recording part of the chargesheet and did not



send the same to the FSL. It is after last date that the IO was changed and now, as informed today, the State has moved an application before the trial court seeking forensic analysis of that audio recording.

8. Considering the above circumstances, I do not find it a fit case to grant bail. The bail application is dismissed.

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

10. Nothing observed herein shall be read to the prejudice of either side and the learned trial court at the stage of final arguments shall take independent view on the basis of evidence adduced.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 22, 2026/ry