

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**CRM-M-37574 of 2021**

**Date of Decision: 10.09.2021**

Parvesh

Petitioner

Versus

State of Haryana

Respondent

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Kanwal Goyal, Advocate for the petitioner.  
Ms. Dimple Jain, AAG, Haryana.

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**AVNEESH JHINGAN, J (Oral):**

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 271 dated 31.7.2021, under Sections 116, 306, 294 and 506 IPC and Section 67(A) of the Information Technology Act, 2000 registered at Police Station Nangal Chaudhary, District Narnaul.

The FIR was registered at the instance of Vinay Yadav. As per the contents of the FIR, the petitioner had sent a WhatsApp message prior to the marriage of the complainant, threatening him not to perform marriage with Monika. The mobile number used for sending message is mentioned in the FIR. In the message, it was stated that in case the complainant solemnizes the marriage, the nude photographs and video which were in the possession of the petitioner would be uploaded on social media. After solemnization of marriage, the photographs and the video were uploaded by creating a WhatsApp group. It is further alleged that by making phone calls, the petitioner was pressurizing the complainant to commit suicide. The petitioner threatened the complainant of spoiling the reputation of the family, making his life hell and to face dire consequences in case he does not commit suicide.

Learned counsel for the petitioner argues that the petitioner had an affair with the wife of the complainant before marriage. Even after marriage, she wanted to accompany the petitioner, for this grudge, the complaint has been filed against the petitioner. He further submits that out of the mobile numbers mentioned, only one mobile belongs to the petitioner. The contention is that the petitioner is not possessing any nude photographs or the video.

Learned counsel for the State appearing on advance notice opposes the prayer for pre-arrest bail. She submits that it is a case where not only a female has been made to suffer due to uploading of objectionable material on social media, there is an attempt to spoil the married life of the complainant. There are allegations for abetment to suicide to the complainant.

From the case set up by learned counsel for the petitioner it is forthcoming that it is a case of alleged failed love affair. The petition claims that even after the marriage, Monika was ready to accompany him is atleast *prima facie* an indicator of his involvement. Learned counsel for the petitioner is not disputing the fact that one of the mobile number mentioned belongs to the petitioner. Recovery of gadgets used for uploading the objectionable material is to be made. There is every chance that there may be something more with the petitioner for which threats are being extended to the complainant to face dire consequences. Considering the seriousness of the allegations, it is a fit case where custodial interrogation of the petitioner is required.

The petition is dismissed.

However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

**[AVNEESH JHINGAN]**  
**JUDGE**

**10<sup>th</sup> September, 2021**

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|-------------------------------|---|-----|
| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable         | : | Yes |