



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

232

CRM-M-3142-2025

Date of decision: 26th March, 2025

Vicky @ Varun

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Inderpal Singh Deol, Advocate for the petitioner.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 349 dated 21.06.2024 registered under Section 67 of Information Technology Act, 2000 at Police Station Old Industrial Area, District Panipat, Haryana.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the complaint lodged by the complainant Shivani, on the allegations that she had come into contact with the petitioner in some marriage function. They had started conversation with each other through phone. The petitioner had created an Instagram account subsequently. On her refusal to marry him, he had been uploading videos and some obscene photographs of the complainant and using the same to blackmail her family members and herself. He was also



extending threats to make them viral, further, if she did not agree to marry him. She had already reported the matter to the police and a case was registered but after being released on bail, he started doing the same acts through different phone numbers. He had been raising demand of a sum of Rs.2,00,000/-. He had even sent her obscene photos and videos to her relatives and was still extending threats to her. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 23.07.2024. He was interrogated and suffered disclosure statement admitting his involvement in the crime. He got his mobile phone recovered which was found to be containing certain photographs of the complainant, which were made viral. Investigation stands completed and the petitioner is facing trial for commission of offence punishable under Sections 67 and 67-A of Information Technology Act.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The trial has commenced but is likely to take considerable time. He has a permanent abode. There are no chances of his absconding. Infact, the complainant was having an affair with him and it was on the insistence of her mother, who was not interested in their matrimonial alliance, that she had foisted a false case upon him, *whatsApp* chats between them verify the fact. His further incarceration would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed by the respondent-State. It is argued by learned Deputy Advocate General, Haryana that there are serious allegations against the petitioner. The record pertaining to IP addresses of



Instagram ID of the complainant was used by the accused to make some videos viral and his Instagram ID was linked to the mobile number registered in the name of the petitioner. He has been found involved in one more case of similar nature. Therefore, it is argued that he does not deserve to be given benefit of bail.

5. Rival submissions have been heard at considerable length.

6. The petitioner is in custody since 23.07.2024. Investigation stands concluded. Trial will take time. It has not been revealed from the record that any obscene photos or videos of the complainant had been recovered from the petitioner during the course of investigation. Keeping in view the period of incarceration of the petitioner, the nature of the allegations levelled against him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, I am of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

26th March, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*