



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103+204

CRM-M-42433-2025 (O&M)
Date of decision: 29.10.2025

JAGDAMBA PARSHAD

PETITIONER

VERSUS

STATE OF HARYANA

RESPONDENT

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Ankur Malik, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Shalini Singh Nagpal, J.CRM-42780-2025

1. Application under Section 528 of Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.), 2023 has been moved for placing on record daily order dated 16.10.2025 (Annexure P-7) of learned Trial court.

2. Heard.

3. Application is allowed.

4. Annexure P-7 is taken on record, subject to just exceptions.

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1. Petition seeks regular bail in FIR No.89 dated 17.03.2025 under Sections 351(3), 64(2)(m), 77, 78 of Bharatiya Nyaya Sanhita (B.N.S.), 2023, Police Station Narwana Sadar, District Jind. Sections 308(2), 332(B) B.N.S. and Section 67A of the Information Technology (IT) Act, 2000 were added in the FIR during investigation.

2. Prosecutrix alleged that her neighbour Jagdamba Parshad s/o Ravi had been taking her obscene pictures for the last three years. She also



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alleged that two years ago, Jagdamba Parshad s/o Ravi committed rape with her and threatened her with death. Her marriage was fixed for 21.03.2025. On 16.03.2025, Jagdamba Parshad posted her obscene pictures on Instagram and defamed her to interrupt the marriage. He also threatened to kill her. She further stated that Jagdamba Parshad was targeting her to maintain illicit relations with her.

3. Learned counsel for the petitioner submits that prosecutrix was a mature, 28 years old lady whereas petitioner was a young student, aged 23 years pursuing civil engineering diploma. There was delay of two years in lodging the FIR which was not explained. Petitioner was in judicial custody in the case for the last eight months. Allegations against him were vague. Investigation was complete and trial would take long. He further submits that during investigation, it had transpired that the Instagram account through which the pictures were posted belonged to the prosecutrix and it was she, who received the OTP which she had given to the petitioner. Therefore, petitioner deserved to be enlarged on regular bail.

4. Learned State counsel has opposed the prayer for regular bail and placed on record the custody certificate. He submits that out of 26 witnesses, no witness had been examined and the gravity of allegations did not entitle the petitioner to regular bail.

5. Prosecutrix is a mature lady, 28 years of age. The FIR is bereft of material particulars of date and time, when the alleged act of rape was committed. Prosecutrix has not claimed in the FIR that the sexual intercourse was without her consent. Even in her statement under Section 183 Bharatiya Nyaya Sanhita (B.N.S.), 2023, the date of alleged incident of rape has not been disclosed. Truth of the allegations against the petitioner can be determined only on conclusion of the trial. Petitioner is behind bars



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for the last eight months. His further incarceration is not warranted. Without meaning to express any opinion on merits of the case, the petition for regular bail is allowed.

6. Pending applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

29.10.2025
Harpreet

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No