



CRM-M-54566-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-54566-2024
Decided on : 21.01.2025

Naresh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sant Lal Barwala, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 294, 509 IPC and Sections 67/67A of IT Act, in a case arising out of FIR No. 09, dated 15.04.2024, registered at Police Station Cyber Crime Hansi, Hisar

2. On 31.10.2024, the following order was passed by this Court:

"1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 294, 509 of IPC and Sections 67/67A of the IT Act, in a case arising out of FIR No. 09, dated 15.04.2024, registered at Police Station Cyber Crime Hansi, Hisar.

2. Learned counsel contends that the victim in the present case was earlier married to the petitioner, but on account of her misdeeds, petitioner had moved one application dated 28.10.2021 (Annexure P-2) before the

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Superintendent of Police, Hansi, to take legal action against the victim. In the said complaint, it was alleged by the petitioner in specific that his wife (projected as victim in the present case), used to make obscene videos from her phone and uploaded the same on different social medial platforms, despite being objected by the petitioner.

Thereupon, vide Court order dated 11.01.2024, a decree of divorce was also passed. Subsequently, present FIR has been got lodged against the petitioner by concocting a false story with the allegation of outraging the modesty of woman.

3. *Notice of motion.*

On the asking of the Court, Ms. Mamta Singla Talwar, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State.

4. *Adjourned to 21.01.2025.*

5. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 438(2) Cr.P.C.”*

3. Learned counsel for the petitioner submits that under the directions of this Court, petitioner has joined the investigation.

4. On the other hand, learned State counsel does not dispute the factual aspect and submits that the custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Considering the totality of facts and circumstances detailed in the present petition and the stand taken by learned counsel for the parties, this Court deems it appropriate to allow the present petition. Accordingly, the ad-interim order dated 31.10.2024 is hereby made absolute

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6. However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 482(2) of BNSS.
7. Petition is disposed of.

(SANJAY VASHISTH)
JUDGE

January 21, 2025
Rashmi

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*