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

+ **BAIL APPLN. 3130/2025**

MOHD. SHAVAJ @ MOHD. SHAHABAJPetitioner

Through: Mr. Saurabh Ajay Gupta, Advocate
with Mr. Ritik Gupta and Mr. Ayush
Haritash, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI)Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

28.10.2025

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1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing No.1201/2024, registered at Police Station Narela Industrial Area, Delhi for the commission of offences under Sections 108/238(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').
2. Status Report has not been filed. However, the copy of the same has been handed over to this Court and the same has also been placed on record.
3. Brief facts of the case arise out of a complaint filed by the mother of the deceased. On 18.11.2024, at about 7:45 P.M., the complainant's daughter, aged about 23 years, was present in her room on the upper floor. When the complainant knocked on the door and received no response, she called her son, who also knocked but did not receive any reply. The son then pushed the door, which opened slightly, and through the gap, they saw the



legs of the deceased hanging in the air. They immediately broke open the door and found the deceased hanging from the ceiling fan with a saree noose. She was taken down and rushed to Raja Harishchandra Hospital, Narela, where she was declared dead by the attending doctor. It is further stated that the deceased used to visit Delhi and nearby areas to perform dance shows on Bhojpuri and Haryanvi songs. About 2–3 months prior to the incident, the deceased had informed the complainant that she had befriended a boy who had administered some substance to her and thereafter committed a wrongful act. He had also taken her nude photographs and recorded a video. Out of fear of social stigma, the complainant did not disclose the incident to anyone. Consequently, she stopped the deceased from going to work and also changed her mobile number. However, due to financial constraints, the deceased resumed her work. She also started using her previous mobile number again, as it was linked with her bank account. Thereafter, the said boy, using mobile numbers 84*****84 and 80*****56, along with other numbers, began calling the deceased and threatening to upload her obscene photographs and videos on social media and to circulate the same among her relatives and acquaintances

4. The learned counsel for the applicant/accused argues that the applicant has been in judicial custody for the past six months. It is argued that the applicant is neither named in the complaint nor mentioned in the suicide note. It is further argued that the allegation regarding the obscene photographs of the deceased is a matter of evidence, which can only be adjudicated during the course of trial and not at this stage. It is also stated that the FSL report is still awaited. Therefore, it is prayed that the applicant/accused be enlarged on bail, considering that he has already



remained in custody for the last six months.

5. The learned APP for the State argues that the allegations levelled against the applicant/accused are of a serious nature. It is further submitted that the WhatsApp chats exchanged between the applicant/accused and the deceased clearly indicate that the applicant/accused was blackmailing the deceased by threatening to circulate her obscene images among her family members, which ultimately drove the deceased to take the extreme step. The suicide note left by the deceased also contains specific allegations against the applicant/accused and mentions his mobile number. Therefore, it is prayed that the applicant/accused does not deserve the concession of bail.

6. This Court has heard arguments addressed on behalf of both the parties and has perused the material available on record.

7. This Court, upon perusal of the material available on record, is of the considered opinion that the suicide note left by the deceased clearly indicates that the extreme step was taken as a consequence of continuous blackmail, harassment, and threats extended by the applicant/accused. The suicide note specifically records the words, *“Mom please forgive me, now I cannot tolerate his blackmailing, I am tired from his blackmailing. He blackmails me everyday that I will upload on facebook everyone will see it and it become viral and will send it to someone”*. Furthermore, it is pertinent to note that the deceased has also mentioned the mobile number of the applicant/accused in the suicide note, thereby prima facie connecting him to the alleged offence.

8. This Court, after perusal of the WhatsApp chats exchanged between the applicant/accused and the deceased, finds that the said conversations *prima facie* suggest that the applicant/accused was blackmailing and



harassing the deceased by threatening to make her obscene photographs viral on social media and to circulate the same among her family members.

9. Further, this Court also takes note of the fact that the applicant/accused had intentionally destroyed his mobile phone by putting it into a rotavator, in an apparent attempt to destroy material evidence related to the case. This conduct clearly indicates that the applicant/accused attempted to tamper with evidence, and there exists a reasonable apprehension that he may again do so if released on bail.

10. Therefore, this Court, upon perusal of the facts and material available on record, is not inclined to grant regular bail to the applicant/accused, considering that the allegations are grave and the offence in question is of a serious nature.

11. Accordingly, the present application stands dismissed.

12. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 28, 2025/vc