

Ct Case No. 08/2026
Parvesh Sahib Singh vs Saurabh Bhardwaj
Complaint u/s 223 of BNSS, 2023

01.09.2026

Present: Sh. Praveen Kumar, Sh. Sarthak Gupta, Sh. Sunil Kumar, Sh. Suman Raj and Sh. Krishna Shukla, Ld. Counsels for complainant.
Sh. Rajat Bhardwaj, Sh. Dushyant Chaudhary and Sh. Tushar Garg Ld. Counsel for proposed accused Mr. Saurabh Bharadwaj, proposed accused **through VC.**

Matter is listed for consideration on cognizance.

Arguments on the point of cognizance have been advanced on behalf of proposed accused. Certain judgments have been filed in support of the arguments. Copy supplied.

Ld. Counsel for complainant is directed to advance further rebuttal arguments on the next date of hearing.

An application u/s 94 BNSS has been filed on behalf of proposed accused seeking direction for preservation of digital evidence on social media platform. Copy supplied.

Reply to the said application be filed by the complainant by the next date of hearing with advance copy to the opposite party.

At this stage, it is submitted by Ld. Counsel for proposed accused that the application filed by him will become infructuous in case the digital evidence sought to be preserved is deleted from the social media platforms before the disposal of the present application and hence, it is prayed that interim order

restraining the complainant and his associate and co-administrator from deleting/hiding/editing/altering any part of the post/photographs listed in the application be passed. Same is vehemently opposed by Ld. Counsel for complainant. Submissions heard.

Put up for order at 04:00 PM.

Digitally
signed by
NEHA MITTAL
Date:
2026.09.01
16:23:15
+0530

(NEHA MITTAL)
ACJM-03/RADC
NEW DELHI/01.09.2026

At 04:00 PM

Present: Sh. Suman Raj, Ld. Counsel for complainant
through VC.

Vide this order, the prayer made on behalf of proposed accused for ad-interim direction for restraining the complainant and his associates and co-administrators from deleting, de-activating, hiding, restricting access to, editing or otherwise altering any part of the posts, profiles, photographs and reels listed in Table A and Table B, as made in prayer clause (C) in the application u/s 94 BNSS shall be decided.

The present application has been filed by the proposed accused for preservation of the posts published from accounts belonging to the complainant and his associates, which are stated to be necessary for the defence of the proposed accused. It is the contention of the Ld. Counsel for proposed accused that the application filed by him shall be rendered infructuous if the interim relief is not granted as the complainant

or his associates can delete/edit/alter/hide the posts mentioned in Table A and Table B at any time i.e. even before the disposal of the present application. Hence, the prayer for interim relief.

The prayer made by Ld. Counsel for proposed accused has been opposed by Ld. Counsel for complainant primarily on the ground that the proposed accused has no locus to file the present application at the present stage. It has further been argued that if the relief sought was so urgent, the Ld. Counsel for proposed accused should have supplied the advance copy of the application to him.

Submissions have been heard.

No opinion can be expressed on the locus of the proposed accused to file the present application at pre-cognizance stage as opportunity to file reply has been sought by and given to the complainant. Hence, this Court has refrained itself from expressing any opinion today on the locus of the proposed accused to file this application. Though ordinarily, a party seeking interim relief is required to at least prima facie show its locus, but the present case is one with peculiar circumstances as the digital evidence sought to be preserved is completely within the reach of the complainant and his associates only. They can access the data at any time and delete or edit it. Hence, this Court is of the opinion that interim relief is required to be given till the disposal of the present application on merits.

Accordingly, the complainant and his associates and co-administrators are restrained from deleting, de-activating, hiding, restricting access to, editing or otherwise altering any part of the posts, profiles, photographs and reels listed in Table A and

Table B of the application u/s 94 BNSS, till the next date of hearing.

Further, Meta Platform Inc. and X Corp. are directed to preserve the posts, media files, Meta data, server logs, registration records and IP history in relation to the posts detailed out in Table A and Table B of the application, till the next date of hearing. Copy of this order along with the copy of the Table A and Table B be served upon Meta Platform Inc. and X Corp. through their email addresses mentioned in the application.

Put up for reply/arguments on application u/s 94 BNSS and rebuttal arguments on the point of cognizance on **10.09.2026 at 11:30 AM.**

NEHA
MITTAL

Digitally
signed by
NEHA
MITTAL
Date:
2026.09.01
16:23:28
+0530

(NEHA MITTAL)
ACJM-03/RADC
NEW DELHI/01.09.2026