

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

Crl. Misc. No. M-14912 of 2017
Date of Decision : May 5,2017

Harsimran Singh Petitioner

VERSUS

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

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Present: Mr. A.S.Dhaliwal, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana,
for the State/respondent.

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LISA GILL, J. (Oral)

Prayer is for bail pending trial to the petitioner in FIR No. 60 dated 9.3.2017 under Sections 354(C) IPC & 66E/67A I.T. Act registered at Police Station Kalanwali.

It is submitted that the petitioner has been falsely implicated on a mere suspicion. As per the allegations in the FIR the complainant raised a doubt that her obscene photographs were uploaded and forwarded by the petitioner with whom she used to 'chat' through the internet about a year prior to the occurrence. It is mentioned that the petitioner who was earlier living in Canada had come to India and was forcing the complainant to meet her. When she refused to meet him, the petitioner is alleged to have

uploaded obscene photographs of the complainant. Learned counsel for the petitioner submits that the mobile phone of the petitioner is in the custody of the police. He has surrendered his passport as well. The petitioner is ready and willing to face trial. Therefore, this petition be allowed.

Learned counsel for the State, on instructions, from ASI Tara Chand, Police Station Kalanwali submits that the final report under Section 173 Cr.P.C. is ready. It is likely to be presented in the next few days. It is not denied that the mobile phone of the petitioner has been taken in custody. It has been sent for forensic examination. No recovery is to be effected from the petitioner who is in custody since 16.3.2017. It is verified that the petitioner has surrendered his passport. There are no allegations that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. No useful purpose shall be served by keeping the petitioner incarcerated any longer.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate, Dabwali.

5.5.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No