

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

Criminal Misc. No.M- 35363 of 2017(O&M)

Date of Decision: October 9 , 2017.

Saurav PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

LISA GILL, J.

The petitioner seeks the concession of anticipatory bail in FIR No.106 dated 17.06.2017 under Sections 354A/509 IPC and Sections 67 and 67A of the Information Technology Act, registered at Police Station City Gurdaspur, District Gurdaspur.

As per the allegations in the FIR, obscene pictures and messages were sent on the mobile phone of the complainant who is none other but an Inspector at Women Cell, City Gurdaspur. It is mentioned that she had blocked the number when she got these messages on 04.06.2017 (Sunday). When she reached office on 05.04.2017, Head Constable Asha Rani registered a similar complaint with the regard to the same mobile number.

Learned counsel for the petitioner submits that there is nothing to

connect the present petitioner with the offence in question as the SIM cards being used in the mobile phone recovered from him, are not in his name.

Be that as it may, it is not in dispute that the said mobile phone has indeed been recovered from the petitioner. This fact is verified by learned counsel for the State, on instructions from ASI Ajay Rajan. The SIM cards admittedly being used in the said mobile phone, not being in the name of the petitioner, cannot be of any avail to him at this stage. Obscene content is alleged to have been sent to female police officials. Young age of the petitioner in these circumstances, cannot be a ground to afford anticipatory bail to him, as vehemently urged by learned counsel for the petitioner.

Keeping in view the nature of allegations against the petitioner, I do not find any ground to grant the concession of anticipatory bail to him.

Petition is accordingly dismissed.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

October 9, 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No