

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25470-2018 (O&M)

Date of decision: 09.08.2018

Dr. Vishwalok

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S. Rangi, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.70 dated 04.04.2018 under Sections 354(D)(2) IPC and Section 66-A of IT Act, 2000 (Section 67(A) of IT Act and Section 506 IPC were added later on), registered at Police Station Civil Lines, Patiala.

On 11.06.2018, following order was passed: -

“Learned counsel for the petitioner submits that the petitioner and daughter of the complainant were studying together in a medical university in China from January, 2008 to July, 2013. Counsel for the petitioner further submits that after a period of about 04 years, the present FIR has been registered by the complainant with the allegations that the petitioner is contacting his daughter on her mobile number and has started sending obscene messages using internet. It is further submitted that in Section 354 (D) (2), it is provided that the offence under this Section is cognizable, bailable and triable by the Court of Magistrate for first conviction. It is also submitted that there are no allegations from 2013 to 2017 and

there is no contact between the petitioner and daughter of the complainant.

Notice of motion for 09.08.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer within a period of 10 days to join the investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions: -

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court.”*

Learned counsel for the petitioner submits that in pursuance of the aforesaid order dated 11.06.2018, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Karnail Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 11.06.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

09.08.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No