

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

**CRM-M-25640 of 2018**  
**Date of Decision: 18.06.2018**

Balpreet Kaur

....Petitioner

**VERSUS**

State of Punjab

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Naveen Batra, Advocate  
for the petitioner.

Mr. Amit Mehta, Sr.DAG, Punjab.

\*\*\*\*\*

**SURINDER GUPTA, J.(Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.69 dated 05.05.2018 registered for offences punishable under Sections 67, 67-A of Information Technology Act and 500 of Indian Penal Code (for short, "IPC") at Police Station City Nawanshahar, District S.B.S. Nagar.

Heard.

As per allegations in the FIR, petitioner had posted defamatory material against the complainant on her Facebook account.

Learned counsel for the petitioner submits that instant FIR has been registered against the petitioner at the instance of her husband, who has illicit relations with the complainant. Even otherwise, petitioner was arrested on 15.05.2018 and is in custody since then. It is a matter to be ascertained during investigation as to who has uploaded defamatory material against the complainant on Facebook account of petitioner.

Keeping in view the period of incarceration of petitioner and

the fact that completion of investigation, presentation of challan and then conclusion of trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Balpreet Kaur is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the Court.

**June 18, 2018**  
**jk**

**( SURINDER GUPTA )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No