

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

208

CRM-M-29683-2018 (O & M)
Date of Decision:19.07.2019

Mandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lajpat Sharma, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

Mr. T.P.S. Bawa, Advocate for
Mr. R.S. Athwal, Advocate for the complainant.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.70 dated 02.07.2018 under Sections 384, and 506 IPC, Section 66 of the Information and Technology Act, 2000 and later on Section 354-C IPC and Section 67-A of the Information and Technology Act, 2000 were added vide DDR No.24 dated 06.10.2018, whereas Section 66 of the Information and Technology Act, 2000 was deleted. The FIR was registered at Police Station Sadar Nawashahar, District Shaheed Bhagat Singh Nagar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.07.2018 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the

petitioner. The said order reads as under:-

“Heard.

Learned counsel for petitioner submits that petitioner has already handed over his mobile to the police and is ready to co-operate. He also undertake that the petitioner will not upload any photograph of daughter of complainant on any social media or internet. He further submits that daughter of complainant has already married with a boy in the year 2017 and the petitioner has no concern or relation with her any more.

Notice of motion for 10.9.2018.

Petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

The petitioner is directed to abide by the undertaking given by his counsel today in court. ”

Thereafter, on 21.01.2019 the application for adding newly added Sections i.e. Section 354-C IPC and Section 67-A of Information and Technology Act vide DDR No.24 dated 06.10.2018 was allowed by this Court.

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel on instructions from ASI Nirmal Singh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 18.07.2018 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

19.07.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No