

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14428 of 2020 (O&M)
Date of Order:11.06.2020

Pankaj Punia

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sukhwinder Singh Nara, Advocate,
for the petitioner.

ANIL KSHETARPAL, J.

Present petition has been filed under Section 438 read with Section 482 Cr.P.C for grant of transit pre-arrest bail to the petitioner for a period of 4 weeks to enable him to apply for appropriate relief before the competent courts located in the States of Uttar Pradesh and Madhya Pradesh.

The petitioner is alleged to have uploaded an alleged inappropriate tweet on 19.05.2019 criticizing the Government of State of Uttar Pradesh. The petitioner, after realizing his mistake, withdrew the aforesaid tweet and apologized. In the meantime, as many as 6 FIRs were registered against the petitioner. One was in the State of Haryana, whereas 3 were registered in the State of Uttar Pradesh and two were registered in the State of Madhya Pradesh.

The petitioner, who is resident of Karnal (State of Haryana) was arrested on 21.05.2020 in the FIR registered in the State of Haryana.

He was directed to be released on bail by the learned Additional Sessions

Judge, Karnal, vide order dated 02.06.2020.

It may be noted here that the petitioner did not furnish personal bonds as directed by the learned Additional Sessions Judge, Karnal, apprehending his arrest at the hands of police forces of the States of Uttar Pradesh as well as Madhya Pradesh.

It may be further noted here that in the meantime, the petitioner was produced on a production warrant at Gautam Budh Nagar, Noida and granted concession of bail by the Chief Judicial Magistrate, Gautam Budh Nagar, Noida vide order dated 05.06.2020.

Details of remaining FIRs as given by the petitioner in the caption of the petition are as under:-

1. FIR No.0146, dated 20.05.2020, Time: 14:31, PS: Hajrat Ganj, District: Lucknow, u/s 153-A, 295-A, 505(2) IPC and Section 67 of the Information Technology (Amendment) Act, 2008, Uttar Pradesh i.e. (Annexure P-1).
2. FIR No.0437, dated 20.05.2020, Time: 18:47, PS: Quarsi, District: Aligarh, u/s 295-A, 505 IPC and Section 67 of the Information Technology (Amendment) Act, 2008, Uttar Pradesh i.e. (Annexure P-2).
3. FIR No.0339, dated 20.05.2020, Time: 15:45, PS: Bhanwarkuan, District: Indore, u/s 188, 295-A IPC and Section 67 of the Information Technology (Amendment) Act, 2008, Uttar Pradesh i.e. (Annexure P-4).
4. FIR No.0757, dated 20.05.2020, Time: 18:21, PS: Seoni, District: Seoni, u/s 188 IPC, Madhya Pradesh (Annexure P-5).

It may further be noted here that the petitioner had also filed Writ Petition (Criminal) No.136 of 2020) before the Hon'ble Supreme court, however, the same was disposed of relegating the petitioner to approach the

concerned High Court/appropriate Forum.

The petitioner is well within his right to avail remedies as are available in law. The offending tweet has already been deleted and the petitioner has also apologized. The petitioner prays for interim protection enabling him to seek the remedies available in law.

Keeping in view the aforesaid facts, the present petition is disposed of by granting interim protection to the petitioner for a period of 18 days from today enabling him to avail the remedies available. Till 29.06.2020, the arrest of the petitioner in the aforesaid 4 criminal cases shall remain stayed subject to objections, if any, to be filed by the States of Uttar Pradesh and Madhya Pradesh to the order passed.

June 11, 2020
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(ANIL KSHETARPAL)
JUDGE

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