

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 24451 of 2020
Date of Decision: 26.8.2020**

Harvinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Parveen Chauhan, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

This is a petition under Section 438 Cr.P.C. for anticipatory bail in case FIR No. 0001 dated 09.1.2019, registered under Sections 376, 363, 354, 506 IPC and Section 67, 67 (A) of Information Technology Act, 2000, registered at Police Station State Cyber Crime, District S.A.S. Nagar (Mohali).

Learned counsel for the petitioner submits that the matter pertains to the year 2015 whereas the FIR in question was registered in the year 2019 and there is an unreasonable delay of four years. It is also submitted that there was an intimacy between the petitioner and the complainant but now after four years, the present complaint has been made against the petitioner.

Notice of motion.

On the asking of the Court, Mr. P.S.Walia, AAG, Punjab

accepts notice on behalf of the State. He has pointed out that the

complainant got married and went to California as she is a U.S. green card holder. It is also submitted that the complainant along with her husband had come to India to perform some rituals and left her daughter in U.S.A. with her mother-in-law. The father-in-law of the complainant also joined them at her matrimonial village. Thereafter the petitioner handed over objectionable photographs of the complainant to her husband. The husband and father-in-law of the complainant went back to USA and also took her passport and green card along and regarding this, a complaint was made to the USA police authorities also.

I have heard the learned counsel for the petitioner and the learned State counsel.

In the present case, the intimacy between the complainant and the petitioner has not been disputed at the initial stage i.e. in the year 2015 but after four years of the marriage of the complainant, the petitioner has handed over her objectionable photographs to her husband. The husband of the complainant went back to USA leaving behind the complainant and also took away her passport and green card and from USA, her husband has circulated the said photographs to the family members of the complainant. The allegations against the petitioner are serious in nature.

No ground for grant of anticipatory bail is made out.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

August 26, 2020
Gurpreet

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