

In virtual Court

CRM-M-28214-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28214-2020 (O&M)
Date of decision: 17.09.2020

Kishan Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.226 dated 08.08.2020 under Sections 67/67(A) of I.T. Act and Section 294 IPC, registered at Police Station City Patti, District Tarn Taran.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Navdeep Kaur, the petitioner is Head Constable in Punjab Police and after obtaining her mobile number, he started sending obscene material on her phone and even used to send late night obscene messages. It is further submitted that it is a matter of trial whether offence under Sections 67, 67(A) of I.T. Act and Section 294 IPC is made out or not.

In reply, learned State counsel has, however, opposed the prayer

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for bail on the ground that the victim is Class-IV employee and the petitioner used to send her obscene material and even given threats to the complainant to involve her in a false case. The FIR further says that the petitioner had gone to the extent of threatening the complainant that if she did not develop illicit relations with him, he will involve her in some case.

Learned State counsel further submits that on the complaint given by the victim, the matter was inquired into by the DSP and the evidence given by her regarding sending of obscene messages and videos by the petitioner, was inquired and only thereafter, the FIR has been registered.

After hearing learned counsel for the parties and going through the contents of the FIR and considering the serious allegations levelled in the FIR, I find no ground to grant anticipatory bail to the petitioner.

Accordingly, the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

17.09.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No