

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-7482-2021 (O & M)
Date of Decision: February 17, 2021

AFROZ MIYA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.153 dated 10.10.2020, under Section 67-A of the Information Technology (Amendment) Act, 2008, registered at Police Station Maqsudan, District Jalandhar (Rural).

Learned counsel for the petitioner contends that it is alleged that the petitioner had uploaded obscene photos in the whatsapp group. He, however, contends that the photographs were uploaded accidentally and there is no allegation that the petitioner had done so intentionally or deliberately with a view to harass anyone. He further contends that the co-accused Dalip Kumar has been granted anticipatory bail by this Court in CRM-M-43925-2020 on 10.02.2021.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab accepts notice on behalf of the respondent-State.

Without expressing any opinion on the merits of the case and in view of the above, especially when the co-accused have been granted anticipatory bail by this Court, I deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Therefore, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 of the Code of Criminal Procedure, 1973 ('Cr.P.C.' - for short). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed of in the aforementioned terms.

(ANUPINDER SINGH GREWAL)
JUDGE

February 17, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No