

103

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

CRM-M No. 15767 of 2021
Date of Decision: 27.04.2021

Deepak

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gautam Diwan, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Allegations against the petitioner are that he uploaded a video of the child with sexually explicit content on 05.07.2019 through his mobile on facebook by using Lupita Last name: Mendez. There are series of events as noticed by the Additional Sessions Judge, Kurukshetra that on the facebook account of the petitioner, the aforesaid video has been uploaded to NCMEC and thereafter, NCMEC send the same to MHA (NCRB) India. Thereafter, MHA (NCRB) send the same to State Nodal Officer/DGP Crime Haryana and DGP Crime Haryana in turn send the same to Cyber Tipline Report 49458003 for taking

further action and ultimately, the same came to Superintendent of Police, Kurukshetra for registration of a criminal case.

Production of child pornography creates permanent effect on the mind of the child as the same is permanent record of a child's sexual abuse. When these images are placed on internet and disseminated online, the victimization of the child continues in perpetuity.

The police has already matched IP address, mobile phone details etc. Thereafter, criminal case has been registered which has been based on scientific evidence.

In view of direct allegations against the petitioner, no indulgence can be granted in favour of the petitioner under Section 438 Cr.P.C.

Dismissed.

April 27, 2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No