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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.17983 of 2021
Date of Decision:23.07.2021

ANSHU DE

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Jagdeep Singh, Advocate
for the petitioner.

Mr. Parveen Bhadu, AAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.138 dated 18.07.2020 registered under Section 67 of the Information and Technology Act, 2000 at Police Station Cyber Crime, Gurugram.

On 29.04.2021, following order was passed:-

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

Learned counsel for the petitioner contends that the allegations are of sending sexually explicit picture from fake account. Petitioner has been nominated on the basis of disclosure statement of Venketesh Arun Kulkarni, who alleged that his mobile was used by petitioner on 27.02.2020 /

28.02.2020. The FIR came to be registered on 18.07.2020.

Learned counsel further submits that the delay in lodging the FIR has not been explained. The punishment for the first offence under Section 67 of IT Act is up to 3 years and in case of repetition of the offence, it may go for 5 years. The punishment up to 3 years is bailable.

Notice of motion for 23.07.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 03.05.2021 at 11:00 AM and in the event of his arrest, he shall be enlarged on interim bail, on his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

It is made clear that grant of interim order shall not be taken to be an expression on merits of the case in any manner. The case shall be considered on merits on the adjourned date.”

Learned counsel for the petitioner submitted that in compliance of order dated 29.04.2021, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from Inspector Vipin Kumar admits the aforesaid fact and submits that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 29.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2)

Cr.P.C.

Petition stands disposed of.

23.07.2021 <i>Amandeep</i>	(RAJ MOHAN SINGH) JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No