

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-46636 of 2017
Date of decision:29.09.2021

Navdeep Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Bikramjit Singh Randhawa, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

SUVIR SEHGAL, J.

Heard through video conferencing.

Instant petition has been filed under Section 439(2) Cr.P.C. for cancellation of anticipatory bail granted to respondents No.2 and 3 by this Court, vide order dated 03.11.2017 in case FIR No.65 dated 28.12.2016 lodged for offences under Section 67 of Information Technology Act, 2000 (later on offence under Sections 506 and 120-B, IPC were added) at Police Station Kalanaur, District Gurdaspur.

Counsel for the petitioner has urged that after confirmation of the anticipatory bail order in favour of respondents No.2 and 3, they are threatening the petitioner that they will misuse the objectionable photographs of the sister of the petitioner and make them viral. It has been

averred that threats of physical harm have also been extended to the petitioner.

In order to verify the truthfulness of the allegation levelled in the petition, this Court, vide order dated 11.09.2018, directed the State to file reply after due inquiry from Inquiry Officer. An affidavit of Deputy Superintendent of Police, Kalanaur, District Gurdaspur has been filed, in compliance thereto, wherein, it has been submitted that allegations levelled are false and no application has been submitted by the petitioner regarding the alleged threat nor any material has been brought to the notice of the official respondents regarding the possession of the objectionable pictures with private respondents No.2 and 3. It has been submitted in the affidavit that after investigation, accused-Harpreet Kaur was found to be innocent and the challan has been presented before the trial Court on 31.03.2018 against respondents No.2 and 3, charge has been framed and the trial is going on. Directions have also been issued to the concerned SHO to protect the life and liberty of the petitioner.

Separate reply has been filed by respondents No.2 and 3 denying the allegations and it has been submitted that FIR had been registered because of marital discord between the parties and it has been submitted that private respondents never misused the concession of bail.

Heard.

Allegations levelled by the petitioner have not been substantiated by any cogent evidence and are based merely on his verbal assertions which cannot form the basis for cancellation of anticipatory bail

granted to respondents No.2 and 3.

Consequently, there is no merit in the petition and it is ordered to be dismissed.

September 29, 2021

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>