

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

CRM-M-39426-2020 (O&M)

Date of decision: 09.04.2021

Harshith @ Harjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. HPS Ishar, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

Short reply along with annexures filed by the State be taken on record.

This petition for regular bail has been filed by petitioner Harshith @ Harjeet Singh, an accused in FIR No.257 dated 21.06.2020, for an offence under Section 14 of POCSO Act (Section 67-B of the Information Technology Act added later on), registered with Police Station Sadar, Mansa.

Briefly stated facts of the case as per prosecution story are that, regular social media patrolling conducted by Cyberdome, Kozhikode, Kerala disclosed that a Whatsapp group named “*sister ki penty*” was found sharing unlimited porn videos of child and rape incidents; on being probed, it revealed that Harshith Singh petitioner on

harjitchatkerian@gmail.com was administering the said group; formal FIR was registered; petitioner Harshith @ Harjeet Singh was accordingly arrested on 20.10.2020; after completion of investigation, the challan is said to have been filed against him in the Court; formal charge has been framed and the trial is going on.

Petitioner had filed a petition for regular bail before the Court of Sessions at Mansa, which was, however, dismissed, vide order dated 12.11.2020. As such, he has knocked at the door of this Court craving for grant of similar relief, by way of filing the present petition, which is being resisted by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Without going into the merits of the case, keeping in view the fact that the petitioner is behind bars since 20.10.2020 i.e. for a period of more than 05 months and the trial is at initial stage; its conclusion is likely to take some time; further detention of the petitioner shall not serve any purpose, I find it a fit case to grant benefit of regular bail to the petitioner. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/CJM/Duty Magistrate, Mansa, subject to the following conditions:-

- (i) he shall appear in the Court on each and every date of hearing;
- (ii) he shall not give any threat or intimidation to the prosecution witnesses;
- (iii) he shall not indulge in any criminal activity;

- (iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;
- (v) he shall not have any concern with the Whatsapp group and shall not take part in any objectionable activity;
- (vi) he shall get his presence marked in the local police station on every Saturday of the week between 11:00 a.m. to 2:00 p.m. so that an eye can be kept on his activities and he is deterred from indulging in any criminal activity.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

09.04.2021
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(H.S. MADAAN)
JUDGE

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