

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

222

**CRM-M-6632 of 2022
Date of decision :21.09.2022**

Gaurav Kumar

.....Petitioner

VERSUS

State of Punjab & another

.....Respondents

CORAM: HON'BLE MR JUSTICE SUVIR SEHGAL

Present:- Mr. Kamal Narula, Advocate, for the petitioner

Mr. Mohit Chaudhary, AAG, Punjab.

None for the complainant/respondent No.2.

SUVIR SEHGAL, J. (Oral)

While granting interim protection to the petitioner, on 24.02.2022,
this Court passed the following order in the main case:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.47 dated 22.10.2021, registered for offences under Sections 66E and 67A of Information Technology Act, 2000 and Sections 354-C, 354-D and 506 of the Indian Penal Code, 1860, at Police Station Punjab State Cyber Crime, District Crime Wing, SAS Nagar (Mohali) (Annexure P-1).

Counsel for the petitioner contends that the petitioner was in relationship with wife of the complainant, who is the sister of his sister-in law (Bhabhi). He submits that the allegations levelled against the petitioner are false and he never misused the personal photographs of the victim. He submits that allegations have been levelled against him because his brother had a matrimonial dispute with his wife (sister of the victim), which has been settled by virtue of compromise dated 23.04.2021 (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab accepts notice on behalf of the State-respondent No.1.

Respondent No.2 be served for 06.05.2022.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date of hearing.”

By a subsequent order passed on 18.05.2022, petitioner was directed to join the investigation.

Upon instructions received from Inspector Deepak Bhatia, learned State counsel submits that petitioner has joined the investigation, he is no longer required for custodial interrogation and recovery of mobile phone has been effected from the petitioner which has been sent to FSL.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 18.05.2022 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

21.09.2022
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>