

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

102)

CRM-M-37033-2021

Date of Decision: 25.01.2022

Manjinder Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. J.S.Warring, Advocate, for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.130, dated 13.08.2021, having been registered at Police Station Gidderbaha, Sri Muktsar Sahib, alleging therein the commission of offences punishable under the provisions of Sections 67(A) and 67(B) of the Information Technology Act, 2000.

Pursuant to the order dated 22.12.2021, an affidavit has been filed by the SP, Investigation, Sri.Muktsar Sahib, dated 24.01.2022, which is ordered to be taken on record.

Though the video clip portraying a naked child has not been annexed with the affidavit, it is stated therein by the SP that upon viewing it he found that it contained pornographic content even *qua* a small child, with what is contained therein having been described in the clip but which is not being reproduced simply for the sake of decency, though otherwise of course upon

the eventual investigation report being submitted to the competent court, that would have to be looked at in detail by the court concerned.

This being a petition seeking anticipatory bail, looking at what is contained in the affidavit of the SP, I find no reason to continue with this petition, which is consequently dismissed, with the interim order vacated.

Naturally, the matter would be taken to its logical conclusion on the basis of investigation conducted.

It is to be noticed that learned counsel for the petitioner has stated that the child is only two years old.

Even if that is so, simply looking at the detailed description of what is contained in the videograph, as has been given by the Superintendent of Police, I see no reason to alter this order.

January 25, 2022

dharamvir//

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes

Whether reportable : No