

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

CRM-M No. 39104 of 2022

Date of decision : August 31, 2022

Narinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Varinder Basa, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, Assistant Advocate
General, Punjab.

Mr. J. S. Gill, Advocate
for the complainant.

PANKAJ JAIN, J. (ORAL)

Apprehending his arrest in FIR No.121 dated 04.08.2022 for offences punishable under Section 384, 506, 120-B IPC, 1860 registered at Police Station City Batala, the petitioner has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.

As per the allegations made in the FIR the petitioner along with the co-accused is running a You Tube News channel.

On 3.7.2022 a fake news with respect to the raid by NIA on the hospital of the complainant was flashed. Fake photographs were posted with an intent to black mail the complainant and to extort money. It has been alleged that the petitioner along with co-accused raised an illegal demand of Rs. 1 lac to stop the said news.

Learned counsel for the petitioner submits that the news with respect to the raid in the hospital was published in the other news papers. It

is only the petitioner who has been singled out and the present case has been registered. He further submits that the petitioner is ready to join investigation. No recovery is to be made, thus, custodial interrogation of the petitioner will not be required.

Learned counsel for the State assisted by Mr. J. S. Gill, Advocate appearing on behalf of the complainant submits that it is not merely a case of fake news but the allegations levelled against the petitioner are with respect to black mailing the complainant and asking for extortion. The accused are threatening the complainant and thus, the custodial interrogation of the petitioner is required for further interrogation.

He further points out that during investigation whatsapp chat inter se between the co-accused also goes on to show that infact it is a racket wherein the accused are running fake news channel and black mailing the persons concerned.

I have heard learned counsel for the parties and have gone through the record of the case.

“We are not fighting an epidemic, we are also fighting an infodemic.”

Said the Director General of World Health Organization raising concern about misinformation on social media during covid-19 crises:

When such misinformation is spread with an intention to extort money it is a cause of serious concern. Social media including You Tube has a wide coverage. Any fact published thereupon has an effect on public at large.

Owing to the expanse of the material published on social media

any misinformation thereupon has an effect of ruining reputation of any person within hours. Thus, the publisher on the social media not only needs to be more responsible but has to be made accountable. While the society is grappling to regulate the material on social media, the person like petitioner indulging in black mailing and extorting money pose serious threat to the society at large.

In the present case, allegations are not merely of publication of fake news but that of black mailing and demanding extortion money.

Keeping in view the seriousness of the allegations and the far reaching ramifications of the action of the accused, no ground for pre-arrest bail is made out.

Consequently, the present petition is dismissed.

(PANKAJ JAIN)
JUDGE

August 31, 2022
archana

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