

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

103

Criminal Misc. No. M-31663 of 2023

Date of decision :-13.10.2023

Anish

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Parminder Walia, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana
assisted by SI Zile Singh.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.40 dated 20.4.2023, under Section 67 of IT Act and Sections 354-D, 56, 509 IPC, registered at Police Station Women, Sector 5, Panchkula.

On 01.09.2023, this Court had passed the following order

:-

“Status report by way of affidavit of Sh. Surender Singh, HPS, Assistant Commissioner of Police, Panchkiula, dated 29.08.2023, on behalf of the respondent-State has been filed, which is taken on record. A copy thereof supplied to learned counsel for the petitioner, who seeks time to go through the same and make his submissions thereafter.

A perusal of the status report reveals that during investigation, it has been found that fake ID "Usaam PKL" from which the complainant was blackmailed for sharing her obscene photos, was found to be registered at the mail ID of the present petitioner, i.e. anishash11@gmail.com and the registered mobile number of the said ID is in the name of the father of the petitioner, i.e. anishash11@gmail.com and the registered mobile number of the said ID is in the name of the father of the petitioner, i.e. Anil Kumar.

Learned State counsel submits that the devices used by the petitioner are required for conducting further investigation.

In view of the above, the petitioner is directed to join investigation and hand over all the devices used by him to the investigating agency.

Adjourned to 13.10.2023.

In the meanwhile, no coercive steps be taken against the petitioner.”

Learned State counsel, on instructions from SI Zile Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 01.09.2023, whereby no coercive steps were directed to be taken against the petitioner, is made absolute. In the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency.

However, the petitioner shall abide by the following conditions stipulated under Section 438(2) Cr.P.C.:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer ;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

October 13, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No