

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33174-2023

Date of Decision: 13.07.2023

Inderjit Singh

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. S.S. Bhinder, Advocate, for the petitioner.

DEEPAK GUPTA, J.

This is the second petition filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 54 dated 21.04.2023 registered at Police Station Dayalpura, Bathinda under Section 386 of the Indian Penal Code, 1860 and Section 67 of the Information Technology Act, 2000.

2. Earlier petition bearing number CRM-M-30285-2023 was dismissed as withdrawn vide order dated 12.06.2023 (Annexure P3).

Following order was passed: -

*“After arguing the case for some time, learned counsel for the petitioner has made a statement to withdraw the present petition.
Dismissed as withdrawn.”*

3. Learned counsel for the petitioner has not been able to satisfy as to how after the dismissal of the earlier application having been withdrawn after arguing the matter for some time, which was the honorable way of dismissing the application on merit, this petition has been filed.

However, learned counsel insists that his petition be considered on merits.

4. As per the prosecution allegations, petitioner by using his different mobile numbers, prepared different fake IDs on Instagram and put up vulgar and objectionable photographs of the daughter and wife of the complainant on social media and started demanding ransom. Complainant at one point of time, under threat of the petitioner transferred an amount of ₹40,000/- in the account of the petitioner on 08.07.2022 and then petitioner closed the fake IDs prepared in the name of the daughter of the complainant, but in August 2022, the petitioner again prepared fake IDs on the Instagram of the daughter of the complainant and put objectionable/vulgar photographs along with the messages and started demanding ransom of ₹1 lakh. He also put objectionable photographs of the wife of the complainant on the Instagram.

5. During investigation, police collected record of the fake IDs from the service provider, which confirmed that fake IDs had been prepared using the mobile of the petitioner. It was further found that petitioner had morphed the photographs of daughter and wife of the complainant and put them on Instagram by writing vulgar and obscene messages below those photographs and by blackmailing the complainant, had extorted ₹40,000/- as ransom from him by putting him under threat.

6. It is submitted by counsel for the petitioner that petitioner has been falsely implicated; that FIR has been lodged on the basis of statement of the father of the victim; that factum of preparing the fake IDs is yet to be proved beyond doubt; and that petitioner is ready to join investigation and so he be allowed anticipatory bail.

7. By pointing out towards the nature of allegations, learned State counsel has strongly opposed the petition.

8. Having regard to the nature of allegations against the petitioner and the conclusions drawn during investigation, clearly implicating the petitioner, this is not a fit case to grant anticipatory bail to the petitioner.

Dismissed.

(DEEPAK GUPTA)
JUDGE

13.07.2023

Vivek

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |