

2024:PHHC:098998



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

252

CWP-8471-2024 (O&M).
Date of Decision: 02.08.2024.

SONMATI ... Petitioner

Versus

UNION OF INDIA AND OTHERS ... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Atul Goyal, Advocate, for the petitioner.

Mr. Dheeraj Jain, Senior Panel Counsel, with
Mr. Sahil Garg, Advocate,
for respondent No.1/Union of India.

Mr. Aditya Sharda, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer made in the present writ petition was for seeking
issuance of directions to the respondents to take immediate steps to remove
the objectionable photographs of petitioner uploaded on Social Websites.

In compliance to the order dated 17.05.2024 passed by this
Court, an affidavit of Kuldeep Singh Chahal, IPS, Commissioner of Police,
Ludhiana, has been filed in the Court today. A copy thereof has been
supplied to the learned counsel for the petitioner. It is stated in the affidavit
that an FIR bearing No.43 dated 14.03.2024 under Sections 354-A and 506
of the Indian Penal Code, 1860, and Sections 66-C and 67-A of the I.T.
Act, 2000, has already been registered at Police Station Tibba, Ludhiana.

2024:PHHC:098998



It is informed that anticipatory bail has already been granted to the accused by this Court vide order dated 13.06.2024 passed in CRM-M-29743-2024, hence the police is not in a position to arrest the said accused. It is further informed that even though he has joined the investigation but has not fully cooperated with the Investigating Agency. It is further informed that all the objectionable Instagram Accounts created by the accused have already been deleted.

Under the given circumstances, no further directions are required to be issued by this Court.

Disposed of accordingly.

It is, however, pointed out that in the event of accused creating any other Instagram I.D. Account and uploading objectionable material on the social media and the same being communicated to the Investigating Officer, appropriate steps shall be taken to delete those accounts and remove the objectionable material.

The petitioner shall be at liberty to take recourse to the appropriate remedies against the accused in the pending FIR as per law.

Needless to mention that the respondents shall take expeditious steps for completion of investigation and filing of the final report.

August 02, 2024
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No