



Sr. No.213

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

**CRM-M-19532-2024 (O&M)
Date of decision: 19th December 2024**

**KHUSPREET SINGH @ PANNU @
KHUSHPREET SINGH SRAN**Petitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Shivam Joshi, Mr. Lovepreet S. Sidhu and
Mr. Karanjit Singh, Advocates
for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

CRM-34478-2024

Prayer in the present application is for addition of offence under
Section 67 of the Information Technology Act, 2000 and Section 201 IPC in
the head-note as well as in the prayer clause of the main case bearing No.
CRM-M-19532-2024.

In view of the averments made in the application, the same is
allowed and Office/Registry to carry out necessary corrections in the head-
note as well as in the prayer clause of the petition.

CRM stands disposed of.

Main case

1. The instant petition has been filed under Section 439 of the
Code of Criminal Procedure, 1973 seeking regular bail in case FIR No.301
dated 29.07.2022, under Sections 341, 354, 354-D, 201 IPC, 1860 and



Section 67 of the Information Technology Act, 2000, registered at Police Station City Faridkot, District Faridkot (Annexure P-1).

2. As per the prosecution case, a written complaint was moved by KKXX to the police on 10.05.2022 alleging that she is practicing as an Advocate and the petitioner is continuously harassing her by stalking her on her mobile phone bearing No.99XXXXXX. The petitioner is further alleged to have hacked the social media account of the prosecutrix and he had been posting immoral and obscene comments against her.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 05.01.2024. The statement of the complainant has already been recorded during the trial. The petitioner has been falsely implicated in the present case. However, Naudhdeep Singh, resident of Deep Niwas, Faridkot, has given an undertaking by way of an affidavit dated 27.09.2024 (Annexure P-6) that the petitioner shall not indulge in any such activities again, in case he is released on bail.

4. On the other hand, learned State counsel has opposed the present petition on the ground of gravity of allegations levelled against the petitioner.

4.1 Learned State counsel has filed custody certificate of the petitioner dated 18.12.2024, reflecting his actual custody period as 11 months and 13 days, which is taken on record.

5. While referring to the status report dated 05.08.2024, learned State counsel submits that the petitioner is a habitual offender. Except the present one, the petitioner is involved in 03 other cases, the details of which are as under:-



“(i) FIR No.211 dated 16.06.2022, under Sections 354-B, 354-D, 506 IPC, PS City Faridkot.

(ii) FIR No.236 dated 19.08.2022, under Sections 354-A, 354-D IPC, PS City Kharar.

(iii) FIR No.135 dated 12.04.2024, under Sections 354-D, 506 IPC and Section 42 of Jail Act, PS City Faridkot.”

6. It has been informed that FIR No.211 dated 16.06.2022 and FIR No.135 dated 12.04.2024 are pending trial, whereas, FIR No.236 dated 19.08.2022 is pending investigation.

7. Learned State counsel further informs that out of total 18 prosecution witnesses, only 01 prosecution witness has been examined so far.

8. I have heard the learned counsel for the parties and perused the relevant documents.

9. As per the custody certificate, the petitioner is in custody for a period of 11 months and 13 days. As per the contentions raised on behalf of the learned State counsel, charge-sheet has been issued to the petitioner in which, he is facing trial under Sections 341, 354, 354-D IPC and Section 67 of the I.T. Act.

10. Learned counsel for the complainant has confirmed that the statement of the complainant has been recorded during the trial.

11. The investigation is already complete. The final report (*‘challan’*) under Section 173 Cr.P.C. has already been presented before the trial Court. Out of total 18 prosecution witnesses, only 01 prosecution witness has been examined so far. The conclusion of the trial is likely to take time. There is no apprehension of absconding of the petitioner during the trial.



12. Keeping in view the above facts and circumstances of the present case and in view of the custody period of the petitioner, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds and two surety bonds in the sum of Rs.4,00,000/- each to the satisfaction of the trial Court/Duty Magistrate concerned.

13. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

14. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

19th December 2024
simran

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