

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-58276-2023 (O&M)

Date of Decision:11.03.2024

NADEEM

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. Sahil R. Bakshi, AAG, Punjab

DEEPAK GUPTA, J.(ORAL)

On 16.12.2023, following order was passed:

“CRM-52883-2023:

This is an application under Section 482 Cr.P.C. moved by the petitioner to place on record Annexure P-8 and Annexure P-9, which are copies of representation made to SSP Sahib, Patiala; and copy of bailable warrants.

Allowed.

Annexure P-8 and Annexure P-9 are taken on record.

CRM-M-58276-2023:

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.227 dated 23.09.2022 registered under Sections 383, 384, 506 of the IPC registered at Police Station City Rajpura, District Patiala.

As per the prosecution allegations, FIR was lodged on the complaint of one Ramcha Rani as per which accused Mohammad Nadeem (petitioner) was earlier employed at the shop of her father.

Petitioner was expelled from the shop due to some reasons. Nursing the grudge against her father, petitioner started uploading her (complainant's photographs) after editing the same on the Instagram ID of her maternal brother Yashav and other maternal brother Yujev against her wishes since 06.05.2022, in order to defame her on social media. It is further alleged that petitioner was demanding Rs.10,00,000/- from her younger brother Sahil and threatening the family members with dire consequences.

It is contended by learned counsel that petitioner has been falsely implicated. In fact, some person had prepared a fake ID in the name of the petitioner. Petitioner had made a complaint dated 06.06.2022 to Senior Superintendent of Police, Muzzaffarnagar in this regard, copy of which is Annexure P-3. The complaint was registered at serial No.454 of 2022 but no action has been taken. Petitioner then filed a complaint in the Court of Chief Judicial Magistrate, Muzzaffarnagar, copy of which is Annexure P-4. Police report was called and the police had submitted its report Annexure P-5. Learned counsel pointed out that present FIR has been lodged on 23.09.2022 i.e. much after the filing of the complaint by the petitioner and even much after the date when complainant alleges that her edited photographs were uploaded since 06.05.2022.

Reply by way of an affidavit of Shri Surinder Mohan, PPS, Deputy Superintendent of Police Sub Division Rajpura, District Patiala has been filed on behalf of respondent- State.

Having regard to aforesaid facts & circumstances but without commenting anything further on the merits of the case, it is directed that in the event of arrest of the petitioner he shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is subject to the condition that petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission

of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

Adjourned to 11.03.2024 ”

Today learned State counsel, on instructions submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 16.12.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

11.03.2024
pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No