



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRA-S-3857-2023

Date of decision: October 16th, 2024

Gurjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Ms. Himani Anand, *Amicus Curiae*, for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The appellant is impugning the order dated 14.12.2023 passed by learned Additional Sessions Judge, Amritsar, whereby his application under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.4 dated 07.01.2021 under Sections 67, 67(A) of the I.T. Act, 2000, Section 509 of the IPC and Section 3(1), 3(1) (R) and (U) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Mehta, Amritsar, has been dismissed.

2. Vide order dated 19.07.2024, the appellant had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel, inter alia, contends that on the basis of vague apprehension, the petitioner has been nominated as an accused in the FIR in question on the allegations that he had been sending obscene



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messages/photographs of the complainant. It has been contended that the petitioner is a defence personnel and the mobile number from which the alleged obscene messages were sent to the complainant’s brother-in-law was + 17024477482 which is a mobile number from overseas.”

3. Learned counsel for the appellant submits that in compliance of order dated 19.07.2024, the appellant has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of the appellant having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the appellant is not required for further investigation much less for his custodial interrogation.
5. In view of the above, the appeal is allowed and interim order dated 19.07.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

October 16th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No