



213(2) IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH

CRM-M-61489-2024 (O&M)  
Date of Decision: 17.12.2024

MITARATH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ankur Bansal, Advocate  
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab

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**HARPREET SINGH BRAR J. (Oral)**

1. The present petition has been filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in  
case bearing FIR No. 286 dated 18.09.2024 under Sections 354-C/505 of IPC  
and Sections 66-E/67/67-A of Information Technology (Amendment) Act, 2008  
registered at Police Station City Hoshiarpur District Hoshiarpur (Annexure P1).
2. On 09.12.2024, following order was passed:

*“The present petition has been filed under Section 482 of  
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to  
the petitioner in case bearing FIR No.286 dated 18.09.2024 under  
Sections 354-C/505 of IPC and Sections 66-E/67/67-A of Information  
Technology (Amendment) Act, 2008 registered at Police Station City  
Hoshiarpur District Hoshiarpur (Annexure P1).*

*Learned counsel for the petitioner inter alia contends that  
identically placed co-accused, namely, Jashandeep Singh, has been  
granted the concession of ad interim anticipatory bail by this Court  
vide order dated 03.12.2024 passed in CRM-M-60539-2024 titled as  
‘Jashandeep Singh Vs. State of Punjab’(Annexure P-5). He further  
contends that the main accused is Shivesh Suri and the offending video  
was neither made by the petitioner nor circulated by him.*

*Notice of motion.*



*On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent State.*

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, at the first instance, the petitioner is directed to appear before the Investigating Officer within one week from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier 438 (2) Cr.P.C.).*

*If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.*

*Adjourned to 17.12.2024.*

*To be heard along with CRM-M-60539-2024.*

*Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."*

3. Learned State counsel on instructions from ASI Satnam Singh, submits that in compliance of order dated 09.12.2024 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 09.12.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./482(2) of B.N.S.S.
5. The petition is accordingly disposed of.

17.12.2024  
Ajay Goswami

(HARPREET SINGH BRAR)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No