

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

208

CRM-M-22287-2021 (O&M)

Date of Decision: 23.08.2022

Bhupinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Suneet Pal Singh Aulakh, Advocate,
for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by SI Jashandeep Kaur.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.12 dated 03.03.2021 at Police Station Punjab State Cyber Crime, Mohali, under Section 67-A of the Information Technology Act.
2. When the matter was listed on 04.06.2021, this Court passed the following order:

“This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Learned counsel for the petitioner submits that petitioner himself is not aware as to how alleged video and photograph had been uploaded from the IP address registered in the name of the petitioner. Petitioner, it is submitted, undertakes to join investigation and fully co-operate with the investigating agency and hand over his mobile as well as any other devices he may be using.

Notice of motion.

Mr. Sukhbeer Singh, AAG, Punjab accepts notice on behalf of the respondent – State and prays for some time to seek instructions.

List on 07.09.2021.

In the meanwhile, petitioner shall join investigation. He shall fully cooperate in the investigation of this case and further join investigation as and when directed by the Investigating Officer. In the event of his arrest, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner had joined investigation and had handed over his mobile phone and that upon conclusion of investigation, challan already stands presented.
4. Having regard to the facts and circumstances of the case and while noticing that the petitioner is stated to have joined investigation and challan already stands presented, it is not a case which would warrant any custodial interrogation at this stage. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 04.06.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

23.08.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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