

202-2 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-60055-2022
Date of Decision: 03.03.2023

Jasveer Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Deepanshu Mehta, Advocate
for the petitioner.

Mr. Subhash Godara, Additional A.G., Punjab.

HARSH BUNGER J. (ORAL)

The present petition under Section 438 of the Code of Criminal Procedure is filed seeking grant of anticipatory bail to the petitioner in case FIR No.50 dated 04.11.2022, under Sections 120-B & 381 of the Indian Penal Code and Section 66 of the Information Technology Act, 2000, registered at Police Station Punjab State Cyber Crime, S.A.S. Nagar.

At this stage, Mr. Deepanshu Mehta, Advocate appears and files fresh Power of Attorney on behalf of the petitioner, with no objection from the earlier counsel, in Court today, which is taken on record, subject to all just exceptions.

On 22.12.2022, the following order was passed by a co-ordinate Bench of this Court :-

“Inter alia contends that the petitioner was working in the complainant's company namely SRP Digital Services Private Ltd. and his job entailed procuring customers who

wanted goods delivered from one city to another and on account of the COVID pandemic and the lockdown that was imposed, the company asked its employees to manage its affairs through "Work from Home Policy" and thus, the petitioner started working from home after taking permission from the company and transferred the excel sheets of data from the company account to his account under the supervision of the Manager of the company and the sales and profits earned from the said work were received in the company account and no amount was received in the personal account of the petitioner. It is further submitted that the data which was in the knowledge of the petitioner was only regarding the details of the customers which is otherwise also available in the public domain on various softwares and neither any email has been sent by the petitioner to any third party nor the petitioner has received any gratification or money for the same. It is contended that the petitioner is a 25 year old graduate and has old parents who are dependent upon him and he is not involved in any other criminal case. The company has filed a civil suit against the present petitioner for permanent injunction and mandatory injunction and the said civil suit is stated to be pending. It is submitted that the co-accused of the petitioner namely Madhuri has also filed petition bearing CRM-M-57937-2022 seeking concession of anticipatory bail in which, notice of motion has been issued and interim protection has been granted and the case of the present petitioner is stated to be similar to the case of said co-accused Madhuri.

Notice of motion for 25.01.2023.

To be heard with CRM-M-57937-2022.

In the meanwhile, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and

shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, petitioner has joined the investigation.

Learned State counsel, on instructions from Sub Inspector Devender Kashi, has not disputed the aforesaid fact of joining the investigation by petitioner and submits that his custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, order dated 22.12.2022, passed by a co-ordinate Bench of this Court, is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that if the petitioner fails to comply with any of the directions issued above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

Present petition is accordingly disposed of.

03.03.2023

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No