



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

CRM-M-54498-2024

Date of Decision:- 11.02.2025

VRINDER KUMAR @ VARINDER SINGH ...Petitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep Kumar Bokolia, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. Yogesh Kumar Aneja, Advocate for the complainant.

AMARJOT BHATTI, J.

1. Petitioner Varinder Kumar @ Varinder Singh has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.2 dated 09.08.2024 under Section 77 of BNS, 2023, Sections 11, 15 of the Protection of Children from Sexual Offences, 2012 and Section 67, 67(A), 67B, 66 (E) of the Information Technology Act, 2000 registered at Police Station Cyber Crime Police Station, District Fazilka.

2. Learned counsel for petitioner argued that petitioner was granted interim bail vide order dated 06.11.2024 and relevant portion thereof runs as under:-

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Learned counsel for the petitioner, inter alia, submits that the present FIR has been registered on the basis of statement of father of the alleged victim. It is submitted that the petitioner and the victim/daughter of the complainant

studied in the same school and were known to each other. As per allegations in the present FIR the petitioner had made a video call to the daughter of the complainant, who is residing in Canada for the past 6-7 months and had made an obscene video of her, which was subsequently leaked by a friend of the petitioner, namely, Karan Kumar. It is submitted that the petitioner has not made any such video and even the mobile number, from which the alleged video is stated to have been sent to the phone of co-accused Karan Kumar, does not belong to the petitioner. It is further submitted that the allegation made in the FIR to the effect that after making such obscene video the petitioner has started blackmailing the daughter of the complainant and demanding money from her are also false and fabricated. Learned counsel for the petitioner prays for grant of interim relief to the petitioner and undertakes that the petitioner will join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Kunwarbir Singh, AAG, Punjab accepts notice on behalf of respondent-State and Mr. Yogesh Aneja, Advocate has put in appearance on behalf of complainant.

Learned counsel for the State assisted by learned counsel for the complainant inform this Court that an obscene video was leaked on the social media, which was subsequently deleted as the petitioner got fearful after registration of the FIR. It is submitted that at the time of the incident, the victim was only 15 years of age.

At this stage, learned counsel for the petitioner also informs that the petitioner was juvenile at the time of incident as he was also 15 years of age at that time.

Learned counsel for the State, on instructions, further informs that the complainant has handed over a pen

drive to the police, which is being investigated. However, learned counsel for the State seeks time to file the reply/status report in the matter. Adjourned to 13.1.2025.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, State counsel is directed to file status report as to the exact role of the petitioner alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

3. Learned counsel representing petitioner pointed out that petitioner has already joined the investigation and he has also handed over mobile phone. He has fully cooperated with the Investigating Agency, therefore, interim bail granted in his favour may be confirmed.

4. Status report is filed. It is confirmed that petitioner joined the

investigation and handed over mobile phone to the Investigating Agency. Investigation is still going on. Petitioner is not required for any other purpose.

5. I have considered the aforesaid factual position. Since petitioner has joined investigation in pursuance of order dated 06.11.2024, no purpose would be served by sending petitioner behind the bars. He is still ready to join investigation as and when required. Investigation and presentation of challan may take long time. Therefore, interim bail already granted vide order dated 06.11.2024 stands confirmed subject to the same terms and conditions as detailed under Section 482 (2) of BNSS, 2023.

6. Petition is accordingly, disposed of.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

11.02.2025

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