

244

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-50988-2022

Date of Decision:- 19.12.2022.

SANJEEV SINGH

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

**CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Rahul Dev Singh, Advocate for the petitioner.  
Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

\*\*\*\*\*

**AMARJOT BHATTI, J. (Oral)**

The petitioner – Sanjeev Singh has filed the instant petition under Section 439 CrP.C. for grant of regular bail in FIR No.194 dated 18.09.2022 under Sections 354-C of IPC, Section 66(E) of Information Technology Act, 2000 and also in subsequently added Sections i.e. Sections 354-A, 354-D, 506, 509, 511 of IPC and Section 66 (C), 66 (D), 67A, 84 (C) of the IT Act, 2000 registered at Police Station Sadar Kharar, District SAS Nagar (Mohali).

The facts of the case are that Ritu Ranot gave her statement to the police that she is posted as Manager Girls Hostel, Chandigarh University. On 17.09.2022 at about 3 PM she was told by Rajvinder Kaur, Warden of Girls Hostel that a girl namely Smyle was making obscene video of the girls as named in the FIR. All the girls were called in her office. Initially Smyle refused to have prepared any such video or clicked

photographs. Her mobile phone was checked and it was found that some of the photos and video were deleted. She was continuously receiving calls and messages from a mobile phone [REDACTED] Smyle was told to put the call on speaker and she asked the said caller to send the photographs or video which he had received. The said boy had sent screen shot of an obscene video. When she strictly enquired from Smyle she confessed everything. With these allegations the present case has been registered. The FIR was registered against Smyle and co-accused Sanjeev Kumar. During further investigation the name of present petitioner cropped up who was arrested in this case.

Counsel for the petitioner argued that he is falsely implicated in this case. He has not prepared any obscene video or clicked any such photographs. Even if the case of the prosecution is believed he merely received an obscene video. There is nothing on record to show that he has circulated the said video to anybody. As per the version of Investigating Officer during the course of investigation that no such video was ever circulated. The allegations against him are false and without any basis. He was arrested in this case on 24.09.2022 and since then he is in custody. His bail application has been declined by the learned Additional Sessions Judge twice. He has already joined the investigation and is not required for any purpose. Therefore, his regular bail application may be allowed.

The bail application is opposed by learned counsel representing the State. The written reply is also filed in which it is confirmed that challan is already presented before the trial Court. The allegations are specific and serious in nature. Specific role is attributed to the present petitioner. The chargesheet is yet to be framed in this case. Considering the

gravity of offence, the petitioner is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. As per the status report dated 16.12.2022 there are allegations against Smyle Sharma falling under Section 354, 509, 511 Cr.P.C. under Section 66 (e), 84-C of IT Act. There are allegations against Sanjeev Singh falling u/s 354A, 354C, 354D, 506, 509 IPC and Section 66C, 66D, 66E, 84C and 67A of IT Act. During investigation no role is attributed to Sunny Mehta and Rankaj Verma. Therefore, chargesheet is framed only against Sanjeev Singh and Smyle Sharma. Once the challan is present it is clear that the entire investigation is complete. The chargesheet is yet to be framed thereafter the prosecution evidence will be recorded. The petitioner was arrested in this case on 24.09.2022 and since then he is in judicial lock up. Trial of this case may take long time. The petitioner cannot be put behind the bars for indefinite time period.

Therefore, without expressing my mind on the merits of the case, the regular bail application filed by the petitioner – Sanjeev Singh is allowed. He is ordered to be released on bail on furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Judge concerned.

The petition is disposed of.

19.12.2022

*snd*

**(AMARJOT BHATTI)**  
**JUDGE**

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No