



SUPREME COURT OF CANADA

CITATION: R. v. Ghotra, 2021 SCC 12

APPEAL HEARD: April 13, 2021

JUDGMENT RENDERED: April 13, 2021

DOCKET: 39215

BETWEEN:

Akash Ghotra
Appellant

and

Her Majesty The Queen
Respondent

- and -

**Canadian Civil Liberties Association, British Columbia Civil Liberties Association and
Criminal Lawyers' Association of Ontario**
Interveners

CORAM: Wagner C.J. and Abella, Moldaver, Karakatsanis, Côté, Brown and Rowe JJ.

UNANIMOUS

JUDGMENT READ Wagner C.J.

BY:

(para. 1)

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R. v. GHOTRA

Akash Ghotra

Appellant

v.

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File No.: 39215.

2021: April 13.

Present: Wagner C.J. and Abella, Moldaver, Karakatsanis, Côté, Brown and Rowe JJ.

ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO

Criminal law — Abuse of process — Entrapment — Internet child luring — Accused starting conversation in internet chat room with undercover police officer posing as underage girl — Accused proposing that they meet for sex and later arrested at meeting place — Accused convicted of internet child luring at trial but applying for stay of proceedings based on entrapment — Trial judge concluding that officer did not provide opportunity to commit offence and dismissing application — Majority of Court of Appeal dismissing accused's appeal — Conviction upheld.

APPEAL from a judgment of the Ontario Court of Appeal (Hourigan, Miller and Nordheimer JJ.A.), 2020 ONCA 373, 388 C.C.C. (3d) 416, 455 D.L.R. (4th) 586, 464 C.R.R. (2d) 83, [2020] O.J. No. 2650 (QL), 2020 CarswellOnt 8060 (WL Can.), affirming the conviction entered by Durno J., [2016] O.J. No. 7161 (QL), and the dismissal of the application for a stay of proceedings, 2016 ONSC 5675, 342 C.C.C. (3d) 128, 33 C.R. (7th) 98, [2016] O.J. No. 4761 (QL), 2016 CarswellOnt 14383 (WL Can.). Appeal dismissed.

Alan D. Gold, for the appellant.

Katie Doherty, for the respondent.

Danielle Glatt, for the intervener the Canadian Civil Liberties Association.

Gerald Chan, for the intervener the British Columbia Civil Liberties Association.

Michael W. Lacy, for the intervener the Criminal Lawyers' Association of Ontario.

The judgment of the Court was delivered orally by

[1] THE CHIEF JUSTICE — We are all of the view to dismiss the appeal for the reasons of Justice Miller of the Ontario Court of Appeal.

Judgment accordingly.

Solicitor for the appellant: Alan D. Gold Professional Corporation, Toronto.

Solicitor for the respondent: Attorney General of Ontario, Toronto.

Solicitors for the intervener the Canadian Civil Liberties Association: Paliare Roland Rosenberg Rothstein, Toronto.

Solicitors for the intervener the British Columbia Civil Liberties Association: Stockwoods, Toronto.

Solicitors for the intervener the Criminal Lawyers' Association of Ontario: Brauti Thorning, Toronto.

