

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>06.01.2023</u>		<p>C482 No. 23 of 2023</p> <p><b><u>Hon'ble Sharad Kumar Sharma, J.</u></b></p> <p>Mr. Amit Kapri, Advocate, for the applicant.</p> <p>Mr. S.S. Adhikari, Deputy Advocate General, along with Mr. Tumul Nainwal and Ms. Lata Negi, Brief Holder, for the State.</p> <p>In the present C482 Application, the applicant has put a challenge to the FIR No. 127 of 2020 dated 06.06.2020, which was registered against him, for the commission of offence under Section 509 of IPC and Section 66(C) of the Information Technology Act, at P.S. Thana Pithoragarh, district Pithoragarh.</p> <p>Its that on culmination of the investigation, a Chargesheet, being Chargesheet No. 48 of 2021 dated 11.06.2021, had been submitted, on which the cognizance have been taken by the Court of Chief Judicial Magistrate, Pithoragarh and summoning order dated 20.01.2022, has been issued against him, which has ultimately resulted into registration of Criminal Case No. 277 of 2022, State Vs. Zeeshan @ Zeeshu.</p> <p>The learned counsel for the applicant submits, that offences, for which the applicant has been summoned to be tried carries a sentence of less than 7 years; apart from the fact that the offences under Section 66(C) of the Information Technology</p>

			<p>Act, would itself be a compoundable offence under the provisions contained under Section 77A of the Information Technology Act of 2000. But, however, the learned counsel for the applicant submits that since the offence carries a sentence of less than 7 years, the present C482 Application, would be disposed of in terms of the judgment of <b>Satender Kumar Antil Vs. Central Bureau of Investigation and another</b>, as reported in <b>2021 (10) SCC 773</b>.</p> <p>If the applicant surrenders before the Court concerned, within a period of two weeks from the date of receipt of the certified copy of this order, his bail application may be considered accordingly as per the parameters provided under para 3(e) of the aforesaid judgment of Satender Kumar Antil (supra).</p> <p style="text-align: right;"><b>Sharad Kumar Sharma, J.)</b> 06.01.2023</p> <p>Mahinder/</p>
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