

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>08.12.2022</u>		<p>C482 No. 2188 of 2022</p> <p><u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mr. Pankaj Kumar Sharma, Advocate, for the applicant.</p> <p>Mr. Pratiroop Pandey, AGA, for the State.</p> <p>Though hesitatingly, owing to the issue, which is quite rampant in the society these days, where the elite and intelligent persons are engaging themselves in committing of the offences under Sections 66C, 66D, 66E and 67 of the Information Technology Act of 2000, they had been engaging themselves in creating false Facebook IDs and sending messages to the persons, which is the case involved herein too, where the present applicant is complained of to have created a false Facebook ID of the respondent No. 2 herein, and had been sending indecent messages porn WhatsApp messages on the same.</p> <p>But, since all the offences, which are being tried under the Criminal Case No. 1038 of 2021, State Vs. Naman Nathan, they carries a sentence of less than 7 years and since the case having been registered as a State case, it will fall for consideration within the parameters laid down by the Hon'ble Apex Court in the matters of Satender Kumar Antil Vs. Central Bureau of Investigation and another, as reported in 2021 (10) SCC 773, hence the appropriate</p>

			<p>recourse available to the applicant would be that since the offences falls under 'A' category of offences, as classified by the said judgment of the Hon'ble Apex Court, the applicant may surrender before the Court concerned and resort to his remedies as provided in the aforesaid judgment of Satender Kumar Antil (supra).</p> <p>Subject to the aforesaid, the present C482 Application stands disposed of.</p> <p style="text-align: right;">Sharad Kumar Sharma, J.) 08.12.2022</p> <p>Mahinder/</p>
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