

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

CRM-M-61886 of 2018 .
Decided on:- December 21, 2018.

Jaideep Dagar.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

OCORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Kunal Dawar, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of the order dated 09.05.2018 (Annexure P-7) passed by learned Judicial Magistrate 1st Class, Gurugram, whereby proclamation was issued against the petitioner, as well as for quashing of the order dated 14.08.2018 (Annexure P-12) passed by learned Judicial Magistrate 1st Class, Gurugram, whereby the petitioner was declared as a proclaimed person in case bearing FIR No.459 dated 15.11.2016 under Section 66-B of the Information and Technology Act, 2000 (for short, the Act) registered at Police Station Udyog Vihar, District Gurugram.

Learned counsel for the petitioner states that apart from the fact that Section 66-B of the Act is bailable offence, the petitioner was not present in India when the impugned orders were passed against him. At this stage, the

petitioner is ready to surrender before the trial Court and to face the trial in accordance with law.

Notice of motion.

On asking of this Court, Mr. Ripu Daman, AAG, Haryana accepts notice of the petition.

Having heard learned counsel for the parties and considering the fact that the offence under Section 66-B of the Act is bailable offence and the petitioner has shown his inclination to surrender before the trial Court and to face the trial, it is ordered that in case the petitioner surrenders before the trial Court within one month from today, he shall be admitted on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

The petitioner shall also furnish an affidavit before the trial Court that he shall not delay the proceedings in any manner and shall appear regularly during the trial unless exemption is granted by the trial Court.

Accordingly, the impugned orders dated 09.05.2018 (Annexure P-7) and 14.08.2018 (Annexure P-12) passed by learned Judicial Magistrate 1st Class, Gurugram are set aside and the instant petition stands disposed of.

December 21, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No