

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____/2026
[@ SLP [CRL.] NO.6547/2026]

MAHARAJ SARAN

Appellant(s)

VERSUS

STATE OF PUNJAB & ORS.

Respondent(s)

O R D E R

Leave granted.

The present appeal has been filed against the impugned order dated 19.12.2024 passed by the High Court, wherein a writ petition was filed by the appellant seeking a writ of habeas corpus to release his son, i.e., the detenu. The detenu was detained at the airport pursuant to a Look Out circular issued against him on 13.12.2024 in FIR No.07/2024 registered for the offences punishable under Sections 66, 72 and 84-C of the Information Technology Act, 2000 (for short, 'the IT Act') and Section 78(1)(ii) of the Bharatiya Nyaya Sanhita, 2023 registered on 07.11.2024 at P.S. Cyber Crime, District - Fazilka, Punjab.

The High Court, while disposing of the writ petition had observed that ex-facie, Section 66 of the IT Act has not been defined as a bailable offence under the IT Act. The said observation has been impugned by

the appellant before this Court.

We had issued a limited notice in the present matter with respect to the legal issue involving Section 66 of the IT Act, which has been treated as a non-bailable offence by the High Court.

We have heard the learned counsel appearing for the parties.

In our considered view, the High Court did not take into consideration Section 77B of the IT Act, which has to be read to ascertain the nature of offence provided under Section 66 of the IT Act.

In such view of the matter, the view expressed by High Court that Section 66 of the IT Act has not been defined as a bailable offence under the IT Act, stands set aside.

The appeal stands disposed of, with the aforesaid clarification.

Pending application(s), if any, shall also stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[PRASANNA B. VARALE]

NEW DELHI;
JULY 16, 2026.

ITEM NO.26

COURT NO.4

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6547/2026

[Arising out of impugned final judgment and order dated 19-12-2024 in CRWP No. 12342/2024 passed by the High Court of Punjab & Haryana at Chandigarh]

MAHARAJ SARAN

Petitioner(s)

VERSUS

STATE OF PUNJAB & ORS.

Respondent(s)

IA No. 109693/2026 - EXEMPTION FROM FILING O.T.

IA No. 109690/2026 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES

Date : 16-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Abhinay, AOR
 Ms. Ritu Punj, Adv.
 Ms. Deepti Sarin, Adv.
 Mr. Kartik Rajpurohit, Adv.

For Respondent(s) Mr. Karan Sharma, AOR
 Mr. Mohit Siwach, Adv.

Mr. Suryaprakash V. Raju, A.S.G.
 Mr. Zoheb Hussain, Adv.
 Mr. Annam Venkatesh, Adv.
 Mr. Kanu Agrawal, Adv.
 Mr. Saurav Roy, Adv.
 Mr. Rajeshwari Shankar, Adv.
 Ms. Vidushi Pandey, Adv.
 Mr. Yogesh Vats, Adv.
 Dr. N. Visakamurthy, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]