

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7062 of 2023

Petitioner :- Anurag Shukla

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko. And Others

Counsel for Petitioner :- Vinay Kumar, Anubhav Awasthi, Manoj Kumar Mishra

Counsel for Respondent :- G.A., Suyash Gupta

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Case called out.

None appears on behalf of the petitioner.

Sri Shikher Deep Agarwal, learned counsel for the respondent no.4, is present.

This petition has been filed with the following main prayer:-

'Issue a writ, order or direction in the nature of Certiorari quashing thereby the impugned First Information Report dated 21.08.2023, lodged by the opposite party no.4 against the petitioner and others registered as F.I.R. No.537 of 2023, Under Section 420/467/468/469/471 I.P.C. and 66C/66D of Information Technology Act, 2000 at Police Station- Kotwali, District Ayodhya contain as annexure No.1 to this writ petition, so far as relates to the petitioner, in the interest of justice.'

In compliance of the order dated 08.11.2023, Sri Alok Kumar Verma, Inspector, Cyber Crime Cell, Ayodhya and Sri Sarva Daman Singh, Investigating Officer is present before this Court.

Sri Alok Kumar Verma, Inspector, Cyber Crime Cell, Ayodhya, has explained the entire *modus operandi* of the petitioner/ accused. It appears that Fashnear Technologies Private Limited had entered into a contract with the petitioner, wherein he was given Libre app containing data relating to customers who place their orders through Meesho. They were given a tracking ID of the consignment to resolve problems being faced by the customers in delivery of such packages as had

been ordered by the customer. Sri Anurag Shukla and two others, stationed at Delhi, Lucknow and Noida, downloaded the data relating to customers and misused such data and breached the agreement with Meesho by forging their identities as employees of Meesho. They contacted the customers over phone and assured them that in case they provide UPI ID/ OTP and online payment to the petitioner and the other accused, they would be given the item concerned at much cheaper rates than Meesho and on an earlier date than their due date of delivery. The data of 5 lakh users/ consumers was downloaded and misused in such a manner, which resulted in loss of several lakhs of rupees to the respondent no.4.

This Court has gone through the F.I.R. and also heard the Inspector, Cyber Crime Cell, Ayodhya and Sri Sarva Daman Singh, Investigating Officer. This Court is of the opinion that the impugned F.I.R. discloses cognizable offence to have been committed by the petitioner, hence, no interference is called for by this Court in its extraordinary power under Article 226 of the Constitution of India for quashing of the F.I.R. or for grant of any interim relief to the petitioner and accordingly, the present writ petition is ***dismissed***.

Order Date :- 1.12.2023
Rahul