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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1499/2025**

RIDHI KALE

.....Petitioner

Through: Mr. Keshav Sehgal, Mr. Shivam Gaur, Mr. Kshitij Joshi, Mr. Aryan Kumar, Ms. Nandita Sharma, Advocates

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Sanjeev Bhandari, ASC for the State with Mr. Arjit Sharma, Mr. Nikunj Bindal, Advocates along with SI Manzoor Alam, PS Cyber, South East

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

06.05.2025

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1. Issue notice. Mr. Sanjeev Bhandari, ASC for the State accepts notice. In light of the relief sought, no reply is deemed necessary and with the consent of the parties, the matter is heard at the stage of admission.
2. The present petition filed under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks to direct the Respondents to conduct investigation in FIR No. 22/2023 dated 17th May, 2023 registered under Sections 500/509 of the Indian Penal Code, 1860 and Section 67 of the Information Technology Act, 2000.



3. Despite passing of two years, the investigation is still not completed and the chargesheet has not been filed. Aggrieved thereby, the Petitioner filed an application under Section 156(3) of Cr.P.C before the Chief Judicial Magistrate, South-East District, Saket Courts, New Delhi in Misc Criminal No. 46886/2024.¹ In the status report filed before the Trial Court, it was stated that the accused was not traceable and accordingly the Investigating Officer sought further time to conclude the investigation.

4. Mr. Keshav Sehgal, counsel for the Petitioner states that the accused is indeed traceable as is evident from order dated 28th March, 2025 in CT NO. 30822/2019² wherein the accused is stated to be regularly appearing before the Court.

5. Upon being queried by the Court, Mr. Sanjeev Bhandari, ASC for the State, acknowledges that the chargesheet has not been filed. However, he submits that certain information was sought from Google LLC due to which there was a delay in filing the chargesheet.

6. It is evident from the record that the FIR in question was registered nearly two years ago, yet no chargesheet has been filed till date. The explanation offered by the State, that certain information was awaited from Google LLC, does not adequately justify the prolonged delay, especially in light of the Petitioner's assertion, that the accused is regularly appearing in other legal proceedings and is not untraceable as claimed by the Investigating Officer.

7. In light of the above, the present petition is disposed of with the following directions:

¹ titled as ***State v. Ridhi Kale***

² titled as ***Dhyan Foundation v. Satpal Dahiya***



- 7.1. The investigation in the FIR No. 22/2023 shall be carried out without further delay. Such investigation shall be supervised by the concerned DCP.
- 7.2. The Petitioner shall be at liberty to seek pursue the pending application under Section 156 (3) of Cr.P.C, if so warranted.
8. It is clarified that in the event the investigation is not completed within a period of three months from today, the Petitioner shall be at liberty to take recourse to remedies available in law.
9. Disposed of.
10. The Court has not examined the merits of the case and all rights and contentions of the parties are left open.

SANJEEV NARULA, J

MAY 6, 2025/ab