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

+ W.P.(CRL) 2873/2025 and CRL.M.A. 26887/2025

ROHIT KUMAR

.....Petitioner

Through: Mr. S.S. Dahiya, Advocate.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for the State with Inspector Vinay, Cyber, North West.

Ms. Praveena Gautam, Mr. Pawan Shukla, Ms. Tissy Annie Thomas and Mr. Rohan Bansla, Advocates for respondents no. 2 and 3.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

09.09.2025

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1. The petitioner herein seeks setting aside of an office memo (under RTI) dated 19.08.2025 *vide* which his cyber complaint dated 29.10.2024 was filed. The petitioner further seeks directions to respondent No. 1 to register an FIR on his cyber complaint lodged and the investigation be subsequently carried out.
2. Dissatisfied thus, with the inaction on the part of official respondents, the petitioner/complainant seeks issuance of directions to them to conduct an investigation.
3. Heard.
4. Learned counsel for the petitioner argues that the investigating agency is not proceeding in a fair and just manner and the same has been closed



without proper investigation.

5. Learned ASC appears on service of advance copy of the petition. He opposes the petition arguing that an internal enquiry is being carried out by the Bank of Baroda where the petitioner worked. Resultantly, the cyber complaint has been rightly filed in light of the aforesaid internal enquiry.

6. Be that as it may, in my opinion, the petitioner ought to have availed other available legal remedies for redressal of his grievance before approaching this Court.

7. Ordinarily, in cases of grievances arising from unfair or improper investigation of a complaint, the aggrieved person can seek recourse by approaching a superior police officer as per Section 30 Bharatiya Nagarik Suraksha Sanhita, 2023. If the grievance remains unaddressed, one can then approach a Magistrate of competent jurisdiction under Section 175(3) Bharatiya Nagarik Suraksha Sanhita, 2023, who can seek submission of a report by the police. Reference may also be had to Apex Court judgment in ***Sakiri Vasu versus State of U.P. and Others, (2008) 2 SCC 409.***

8. In the premise, instant petition is disposed of along with pending application(s), if any.

9. Petitioner is at liberty to take recourse to the remedy as may be advisable in accordance with law.

10. The petition stands disposed of in the aforesaid terms.

ARUN MONGA, J

SEPTEMBER 9, 2025/kd