



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

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CRWP-13572-2025

Date of Decision:-17.03.2026

SUKHMANDER SINGH

.....PETITIONER

VS.

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Pawan Kumar, Senior Advocate with
Mr. Vidushi Kumar, Advocate for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

Mr. Varun Chawla, Advocate
for respondent Nos.6 and 7.

(THROUGH VIDEO CONFERENCING)

JASJIT SINGH BEDI, J.(ORAL)

1. The prayer in the Criminal Writ Petition under Article 226 of the Constitution of India is for seeking transfer of investigation to CBI (respondent No.8) in FIR No.25 dated 16.06.2025 (Annexure P-3) under Sections 318(4) of BNS, 2023 and Section 66(D) of the Information Technology Act, 2000, registered at Police Station Cyber Crime, Jalandhar City, Jalandhar.

2. The learned Senior counsel for the petitioner contends that in view of the directions issued by the Hon'ble Supreme Court in Suo Moto Writ Petition No.3/2025, wherever it is brought to light that an FIR under the provisions of the IT Act is registered pertaining to identified cyber crimes, the appropriate State Government and Union Territories shall

accord sanction under Section 6 of the Delhi Special Police Establishment Act, 1946 so as to enable the CBI to take over the investigation. In the instant case, the case of the petitioner is on a similar footing. Therefore, an appropriate direction be issued by this Court in terms of the order of the Hon'ble Supreme Court.

3. The learned counsel for the State, on the other hand, contends that the investigation stands concluded and the report under Section 173(2) Cr.P.C. (Section 193 of BNSS) stands submitted. He, however, concedes that Clause (iv) of Para 6 of the order of the Hon'ble Supreme Court (Annexure P-11) would apply to the case of the petitioner as well.

4. I have heard learned counsel for the parties.

5. Para 6 of the order of the Hon'ble Supreme Court (Annexure P-11) is reproduced hereinbelow:-

*“To strengthen the hands of the CBI, especially after perusing the preliminary report submitted by it, we deem it appropriate to issue the following interim directions:
(i) The CBI shall have be given a free hand to investigate the role of bankers under the provisions of the Prevention of Corruption Act, 1988, wherever they are found to be involved in the opening of mule bank accounts, which are used in cybercrime cases, including CBI Crime Case No.RC.2202025E0012.*

(ii) We implead and issue notice to the Reserve Bank of India (RBI) to assist this Court as to why artificial intelligence/machine learning technology be not implemented to identify the mule accounts and correspondingly freeze such proceeds of crime.

iii) The information technology intermediaries under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (hereinafter referred to as the "Rules") are directed to cooperate with the CBI and render full assistance to provide traffic and

content data for the investigation of digital arrest cases, as and when such information is sought by the CBI.

(iv) All the State Governments and the Union Territories are directed that wherever an FIR has been registered for investigation under the penal laws along with the Information Technology Act, 2000, sanction under Section 6 of the Delhi Special Police Establishment Act, 1946 shall be accorded so that the CBI can undertake a comprehensive action in respect of the identified cybercrimes, on a pan India basis.

(v) The CBI is further permitted to identify the police officers from different state police forces or technical experts, or persons having domain expertise, to be associated as members of the investigating team for technical aid.

(vi) Having regard to the magnitude of the crime and the fact that the places from where such crimes are committed are often beyond the territorial jurisdiction of India, we direct the CBI to submit a request to Interpol and coordinate with the agency to lay its hands on the cybercrime havens operating from different jurisdictions.

(vii) All telecom service providers are also directed to implement the directions issued by the Department of Telecommunications stringently, especially with respect to the issuance of SIM cards. The material on record so far has reveals an alarming, negligent, and irresponsible attitude by these telecom service providers in issuing SIM cards, particularly the allocation of multiple SIM cards to a single name. In this regard, we direct the Department of Telecommunications to submit a proposal for the Court's consideration that may need to be implemented by all telecom service providers to prevent the misuse of SIM cards.

(viii) The State Governments and Union Territories are directed to ensure expeditious establishment and operationalisation of Regional and State Cybercrime Coordination Centres, and in case there is any impediment being faced by them, they shall be at liberty to apprise this

court at the earliest. There is no gainsaying that the establishment of the Regional and State Cybercrime Coordination Centres allied with the Central Government Nodal Centre is essential for a coordinated, swift, timely and effective preventive measures against cybercrime.”

6. A perusal of Clause (iv) of Para 6 would reveal that all the State Governments and Union Territories have been directed that wherever an FIR has been registered for investigation under the penal laws along with Information Technology Act, 2000, sanction under Section 6 of the Delhi Special Police Establishment Act, 1946 shall be accorded so that the CBI can take over the investigation on a pan India basis.
7. In view of the above, the State of Punjab-respondent No.1 is directed to hand over the investigation of FIR No.25 dated 16.06.2025 (Annexure P-3) under Sections 318(4) of BNS, 2023 and Section 66(D) of the Information Technology Act, 2000, registered at Police Station Cyber Crime, Jalandhar City, Jalandhar to the CBI forthwith.
8. Disposed of.
9. Needless to say, in case the petitioner seeks any relief, he is at liberty to approach the Court of competent jurisdiction to avail his remedies in accordance with law.
10. All the pending miscellaneous applications, if any, stand disposed of.

17.03.2026

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(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No