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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5175/2019, CM APPL. 22913/2019 and CM APPL. 34854/2023**

ASHISH ANAN

.....Petitioner

Through:

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Vinay Yadav (CGSC), Mr. Ansh Kalra (Adv), Ms. Kamna Behrani (Adv), Mr. Neeraj Raj Paulose (Adv.)

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER
11.02.2026

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1. The instant petition is for the following reliefs:-

“a. Issue a writ, order or direction in the nature of certiorari, mandamus thereby quashing the impugned order dated 19.11.2018 passed by the CIC and consequential mandamus commanding the Respondent No.1 to disclose the information along with attending materials;

b. Pass such other order or orders as this Hon'ble Court may deem fit in the facts and circumstances of the case.”

2. As per the case set up by the petitioner, he is a member of the Delhi Andaman Nicobar Police Service and is under investigation with respect to an FIR registered under Section 384, 506, 201, 120(b), and 34 of the Indian Penal Code, 1860 and Section 13(1)(d) of the Prevention of Corruption Act, 1988. In this background, he had filed application dated 12.07.2017, seeking information pertaining to Call Detail Records with respect to his mobile



number for the month of October, 2016 from the concerned officers at Nani Daman Police Station, Daman. According to the petitioner, the RTI application is independent of and unconnected to the aforesaid FIR.

3. The concerned officer of the Nani Daman Police Station issued communication dated 03.06.2017 in response to the application. The information sought was refused on the ground that disclosure of the same would impede the process of investigation and prosecution and therefore, was not required to be disclosed, under Section 8(1)(h) of the Right to Information Act, 2005 (RTI Act).

4. The said communication dated 03.06.2017 was challenged before the First Appellate Authority and the Central Information Commission, culminating in the impugned order dated 19.11.2018, whereby, the petitioner's appeals were dismissed.

5. A perusal of the facts indicate that an FIR has been registered against the petitioner in respect of various offences under the Indian Penal Code, 1860 (IPC) and the Prevention of Corruption Act, 1988 (PC Act) around the month of October 2017. The information with respect to his Call Details Records which is sought by the petitioner also pertains to the same time period. Therefore, the information sought may have had direct bearing on the investigation thereof. Therefore, disclosure of the same could have been prejudicial to the process of investigation.

6. Under Section 8(1)(h) of the RTI Act, 'information which would impede the process of investigation or apprehension or prosecution of offenders' is not required to be disclosed. The same is extracted below, for reference:

“8. (1) Notwithstanding anything contained in this Act, there shall be no



obligation to give any citizen,—

xxx

(h) information which would impede the process of investigation or apprehension or prosecution of offenders;”

7. Therefore, the impugned order does not suffer from any infirmity warranting interference by this Court. In any case, if any adverse material is sought to be relied upon against the petitioner in the criminal proceedings, he shall be entitled to have access to the same during the course of trial. All those aspects can be looked into by the concerned Trial Court.

8. In view of the aforesaid, the Court does not find any illegality or infirmity in the order dated 19.11.2018. Accordingly, the instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 11, 2026

Nc/amg