



\$~4

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

+ **W.P.(C) 8348/2024**

ARTI KUMARI

.....Petitioner

Through: Mr. Piyush Kumar and Mr. Piyush
Kumar Singh, Advocates.

versus

CPIO , MINISTRY OF HOME AFFAIRS

.....Respondent

Through: Mr. Jagdish Chandra, CGSC with
Ms.Maanya Saxena and Mr.
Siddharth Bajaj, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

13.01.2026

%

1. The petitioner claims to be the wife of Mr. Gopal Krishna Patar @ Raja Peter. The said Raja @ Peter was implicated in a criminal case, which was initially investigated by the State police and CID, and later on, transferred to the National Investigation Agency (NIA) in the year 2017. The petitioner seems to have filed multiple RTI applications seeking various documents with respect to the investigation, sanction, etc.
2. The Central Public Information Officer (CPIO) rejected the disclosure mainly on the ground that the matter is *subjudice* and disclosure would impede the investigation process and, therefore, the information sought was not required to be disclosed under Section 8(1)(g) and 8(1)(h) of the Right to Information Act, 2005 (RTI Act). The petitioner then preferred First Appeal



and Second Appeal before the Central Information Commission (CIC).

3. The CIC, by a common order dated 25.10.2022, upheld the decision passed by the CPIO and has refused to direct for disclosure. The petitioner aggrieved by the said order has approached this Court by way of the instant petition.

4. Learned counsel appearing on behalf of the petitioner submits that the order is completely silent on the aspect as to how the disclosure of the information would impede the investigation process. According to him, the matter is at the verge of completion. He further submits that even the decision which has been passed *qua* CIC/MHOME/A/2021/142177 has not been complied with by the concerned authority.

5. As far as the grievance related to non-compliance of the order already passed by the CIC is concerned, the petitioner has a remedy under Section 18 of the RTI Act to approach the said authority and to point out the non-compliance of the existing directions. There is no doubt, if the petitioner does so, her grievance shall not be taken to its logical conclusion.

6. Accordingly, liberty is granted to the petitioner to approach the said authority for redressal of the grievance with respect to non-compliance of the existing direction.

7. So far as the grievance with respect to the non-compliance of the mandate of the statutory provisions is concerned, the Court has looked into the nature of the information sought by the petitioner in the three RTI applications.

8. In the application dated 27.01.2021 (Annexure P-3), the petitioner has sought all documents on the basis of which, approval for prosecution of Raja @ Peter was granted by the Ministry of Home Affairs. In the application



dated 25.05.2021, the documents on the basis of which various provisions of the Unlawful Activities Prevention Act, 1967 were invoked against the petitioner's husband are sought. In the application dated 12.05.2021, reasons for assigning the case to the concerned investigating agency, etc., has been sought.

9. The requested information/documents, clearly, have direct bearing on the pending criminal proceedings. The trial is still pending, and the concerned accused is under prosecution. The requisite rights and liberties for a fair trial will always be available to the accused person to seek before the concerned Court. Any adverse material, if relied on against him, will have its own repercussions. The Court, therefore, does not find any perversity or illegality in the impugned order passed by the CIC.

10. With the aforesaid observations, the instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 13, 2026

Nc/amg