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

\# **CNR No. DLHC010477812026**

\+ W.P.(CRL) 3127/2026 & CRL.M.A. 31126/2026

NABIN SARKAR .....Petitioner

Through: Mr. Ashish Raj, Advocate alongwith Petitioner in person (Through VC)

versus

UNION OF INDA & ORS. .....Respondents

Through: Mr. Abhishek Mahajan, SPC with Mr. Sambhav Sharma, GP and Mr. KM Dristi Mittal, Advocate for R-1/UOI

Mr. Sangeet Sibou, Adv. appearing for Mr. Rahul Tyagi, ASC (Crl.) for Respondent No. 2/ State

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 05.10.2026

1. The present petition has been filed under Article 226 of the Constitution of India seeking quashing of E-FIR No. 804432200202600323 dated 05.09.2026 with the Cyber Crime Police Station at Bengaluru City under Section 66(C) of the Information Technology Act, 2000 and Section 318(4) of Bharatiya Nagarik Suraksha Sanhita, 2023 [‘BNSS’].

2. Mr. Ashish Raj, learned counsel for the Petitioner, states that the complaint was filed by Respondent No. 8, who has a commercial relationship with the Petitioner. He, however, states that the Petitioner has

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amicably resolved his disputes with Respondent No. 8.

2.1. He states that the consent of Respondent No. 8 to close the subject FIR has been filed as Annexure P-6 to this petition.

3. Mr. Sangeet, Advocate appearing on behalf of learned ASC for Respondent No. 2, states that this Court does not have the jurisdiction to quash the subject FIR and the Petitioner ought to approach the High Court of Karnataka at Bengaluru for the said relief.

3.1. He further states that since the subject FIR was registered under Section 318(4) of BNSS, the Petitioner also has the remedy of approaching the learned Magistrate for compounding of the offence in view of his settlement with the complainant.

4. At this stage, learned counsel for the Petitioner states that while he will explore his remedy to approach the High Court or the learned Magistrate at Bengaluru, the concerned Branch Manager of Respondent No. 7 may also be directed to assist the Petitioner.

4.1. He states that the Investigating Officer assigned to the subject FIR is not responding to the request made by the Petitioner and Respondent No. 8 herein.

5. This Court has heard the learned counsel for the parties.

6. This Court finds merit in the submissions advanced by learned counsel for Respondent No. 2 that the present petition is not maintainable before this Court.

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7. The petition is disposed of, with liberty to the Petitioner to approach the SHO, Cyber Crime, Police Station Bengaluru City for closing of the subject FIR, if permissible, in accordance with law. In case the concerned SHO fails to respond to the Petitioner's request, the Petitioner will be at liberty to approach the Ld. Magistrate or the High Court at Bengaluru, as advised in law.

8. Pending application stands disposed of.

9. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order shall be insisted upon by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 5, 2026/*rhc*/aa

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