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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(CRL) 1655/2021**

SUNIL KUMAR (ADVOCATE) ..... Petitioner

Through : In person.

versus

UNION OF INDIA & ORS. .... Respondents

Through : None.

**CORAM:**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

% **02.09.2021**

1. The hearing has been conducted through Video Conferencing.

**Crl.M.A.No.13753-54/2021**

2. Exemption allowed, subject to all just exceptions.

3. The application/s stand disposed of.

**W.P.(CRL) 1655/2021**

4. This petition is filed with the following prayers:-

*a) To direct the director CBI (R-2) to conduct the investigation AND Prosecution in the matter as per law and as per the complaint made by the petitioner dated 14.02.2013(A-9) 29.04.2020 (A-22) and 22.12.2020, 28.12.20 (Annexure A- 24, 26 & 28 );*

*b) To respondent no. 3, MTNL to supply the details/ information sought by the petitioner through RTI as per order dated 09.04.2013 (Annexure 5)and also imposed penalties on respondent no. 3 as envisaged in RTI act for not providing / incorrect /incomplete information;*

*c) To Commissioner of police (R-4) respondent to take the steps for necessary steps as per Law applicable and a proper investigation and prosecution in the matter as per complaint dated 29.04.2020 (A-22) and 28 .12. 20 (A-24, 26) against the accused persons and punished them in accordance of law;*

*d) To CIC (R-5) to imposed the penalties and punitive*

*actions as envisaged under chapter V , section 18 and 19 of RTI Act 2005 on R-3 for not complying its order dated 09.04.2013 (A-5) ;*

*e) The respondents to pay the damages by way of compensation of Rs. 1 Crore as envisaged in section 43 of the Information Technology Act 2000.*

*f) To Respondent No. 2-4 to prosecute the culprits in accordance with Law for misusing the Government Machinery, Govt. Facilities, Govt Staff , Govt. Money for their personal use, personal pleasure, personal revenge in matrimonial dispute to harass the violence in the internal life and home affairs of petitioner and his family members, there by also guilty of violation under article 21 of the constitution for infringement of the fundamental right of privacy enshrined by constitution of India ' hence violated the Right of privacy of petitioner as granted under article 21 of the constitution of India.*

*g) To award the cost of litigation in favour of the petitioner and against the respondents.*

*h) To pass any other or further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*

5. The grievance of the petitioner is that his mobile phone was put on surveillance at the instance of his in-laws and all his internet devices were intercepted without due or valid permission of the Government. He has even filed the RTI, but of no avail.

6. In the circumstances, at this stage, issue notice to respondents No.1, 3 & 4 only through all modes/email/whatsapp returnable on 16.12.2021.

**YOGESH KHANNA, J.**

**SEPTEMBER 02, 2021**

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