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

+ W.P.(CRL) 3835/2023

MANJU PANDEY

..... Petitioner

Through: Mr. Dinesh Malik, Advocate
(DHCLSC) with Mr. Puneet Jain
and Ms. Kitti Aggarwal, Advocates

versus

STATE THROUGH SHO PS WAZIRPUR & ANR. ..Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal,
Mr. Abhinav Krumar Arya,
Advocates, Insp. Virender Kumar,
PS AHTU/Crime Branch Rohini,
Delhi

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

11.03.2024

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking issuance of direction in the nature of habeas corpus thereby directing the respondents to produce his minor son.

2. It is pertinent to mention here that on 22.12.2023, the petitioner had stated that her father-in-law received a WhatsApp message from mobile no. 7808485339 & 8709947962 and asked him to transfer some money in account no. 409002012798 RBL Bank of Mallick Traders in order to get information about the missing child.

W.P.(CRL) 3835/2023

Page 1 of 4



3. Learned Standing Counsel has handed over a status report dated 11.03.2024 in Court today which is taken on record and it is noted in the status report that on 12.02.2024, verification of subscriber namely Rohit Kumar resident of village Itwan, Post Rampur Chauram, Itawa Artwal Rampur, Bihar (from whose number the petitioner's father-in-law had received whatsapp message) was done and it was informed by SHO of the said police station that such person used to live at the given address but he has no criminal record. Further, on 27.02.2024, physical verification of the address was also done by IO of the case along with his team, however, the suspect Rohit Kumar was not found at home. Thereafter, a notice dated 27.02.2024 for joining investigation was served to the SHO Police Station Rampur Chauram, Bihar to deliver the same to suspect. Both numbers of the suspect were in-active since 28.08.2023 till 30.08.2023. Pursuant to notice, on 04.03.2024 and 05.03.2024, the suspect Rohit Kumar reported in the office of AHTU/Crime Branch, Rohini, Delhi and he was examined at length wherein he deposed that he had given the password to a person of District Gadhwa, Jharkand and that person had made two calls, i.e. one call was made in the area of Police Station Gadhwa, Jharkhand and another call was made to complainant in the present case.

4. A verification of Mallick Traders, 35 Ganesh Chandra Avenue, Kolkata, West Bengal pertaining to account No. 409002012798 RBL Bank was also got done but no such company was found at the said address. Moreover, in November, 2023, an amount of Rs.2,38,341/- was credited and continuous business transactions were found in the account statement.



5. It is further noted in the status report that despite taking various steps, i.e. search of missing boy on ZIPNET, local route, social media group of police officers, T.P. Message and detailed W.T. Message to all DCsP/SSPs in India, declaration of Reward of Rs.50,000/- to get any lead qua search of minor boy, checking of details of minor boy on Face Recognition Software, there is still no clue. During the investigation, no motive of kidnapping of the missing boy has cropped up either.

6. This Court put a specific query to learned Standing Counsel as to how the complainant's number was accessible to the person who hacked suspect Rohit Kumar's mobile.

7. Learned Standing Counsel replied that any person can access Zonal Integrated Police Network (ZIPNET) and from there, they can find the details of mobile numbers of any such complainant who lodges complaint qua missing person. Thereafter, such persons hack the number and call complainants asking them to deposit money in some account. Believing such calls, the money is transferred online by any such vulnerable person.

8. Learned Standing Counsel submits that, presently, on ZIPNET, the phone numbers and other details of complainants are no longer accessible to public and he has assured this Court that contact details of SHO/IO of the case shall stand reflected to ensure that the contact details of complainants are not misused by any such criminal mind.

9. In view of above, the respondent-State is directed to take all necessary steps to ensure that in all such cases, the vital personal information of complainant is not put in public domain and only the name and contact details of SHO or IO of the case are reflected on ZIPNET.



This would, obviously, eliminate the possibility of such type of extortion calls by cyber criminals.

10. Commissioner of Police, Delhi is also accordingly directed to issue necessary directions to said effect.

11. Respondent-State is further directed to look into the matter and to take steps to reach to the missing son of the petitioner.

12. Renotify on 10.04.2024.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

MARCH 11, 2024/rk