



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 9325 of 2026

Mithilesh Kumar

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s) : Rishi Kumar Prajapati, Virendra Kumar
Maurya
Counsel for Respondent(s) : G.A.

Court No. - 49

HON'BLE RAJEEV MISRA, J.
HON'BLE PADAM NARAIN MISHRA, J.

1. Heard Mr. Virendra Kumar Maurya, the learned counsel for petitioner and the learned A.G.A. representing State-respondents 1, 2 & 3.

2. Perused the record.

3. Petitioner- **Mithilesh Kumar** has approached this Court by means of present criminal misc. writ petition for a writ of mandamus commanding respondent-2 i.e., Commissioner of Police, Commissionerate Ghaziabad, District- Ghaziabad to look into the matter and ensure fair and proper investigation of Case Crime No. 1293 of 2025, under Section 67-a of Information Technology Act, Police Station- Indrapuram, District- Ghaziabad, arising out of the FIR dated 10.12.2025 lodged by the first informant-respondent- Mithilesh Kumar i.e. the writ petitioner, is concluded at the earliest.

4. On the matter being taken up, the learned counsel for petitioner submits that FIR giving rise to present criminal proceedings was lodged on 10.12.2025. In spite of the fact that a period of four and a half months have elapsed but the investigation of concerned case crime number has not yet

been brought to its logical conclusion by the concerned Investigating Officer. Feeling aggrieved, the petitioner has been compelled to approach this Court. There cannot be any explanation for the lackadaisical approach on the part of the Investigating Officer in keeping the investigation pending since long.

5. On the other hand, learned AGA submits that the matter is still under investigation.

6. We fail to understand as to on what ground the investigation of concerned case crime number has remained pending for more than four and a half months.

7. In view of above facts and circumstances of the case, we direct that the concerned Circle Officer as well as the concerned Investigating Officer shall appear in person before this Court along with original case diary. They shall also file their personal affidavits explaining the circumstances under which the investigation could not be brought to its logical conclusion in spite of an expiry of a period of more than four and a half months.

8. Matter shall reappear before appropriate Bench as fresh on 06.05.2026.

9. Matter shall not be treated as tied up or part heard to this Bench.

10. Assignment, if any, stands discharged.

(Padam Narain Mishra,J.) (Rajeev Misra,J.)

April 28, 2026

Rama Kant



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Court No. - 48

HON'BLE RAJIV GUPTA, J.
HON'BLE DR. AJAY KUMAR-II, J.

1. Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.
2. Pursuant to the order dated 28.04.2026, Sri Abhishek Srivastava, Assistant Commissioner of Police, Indirapuram, Commissionerate, Ghaziabad alongwith Sri Anil Kumar Verma, Investigating Officer, Police Station Indirapuram, Commissionerate Ghaziabad has appeared in person before this Court and has filed their respective affidavit, which are taken on record, which we have gone through.
3. It is submitted by learned A.G.A. on instructions that concerned Police Officials shall make all endeavours to conclude the investigation positively within a month.
4. In case, the investigation is not concluded by the next date fixed, the aforesaid Officers shall appear in person before this Court.
5. Put up as fresh on **02.07.2026**.

May 6, 2026
Monika

(Dr. Ajay Kumar-II,J.) (Rajiv Gupta,J.)



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Court No. - 49

HON'BLE AJAY BHANOT, J.

HON'BLE DIVESH CHANDRA SAMANT, J.

Matter relates to posting of obscene videos of the petitioner on a social media handle. The affidavit filed by the investigation officer dated 04.05.2026 asserts as under:

"13. The deponent very respectfully submits herein that as the URL ID and IP address of the X (twitter) by which the obscene videos and photographs have been posted, has not been provided by X Corp. c/o Trust & Safety Legal Policy 1355 Market Street, Suite 900 San Francisco, CA 94103 as yet and under the aforesaid circumstances the deponent is handicapped to proceed further in the matter and as such, the deponent very respectfully prayed that this Hon'ble Court may be pleased to grant some more time, so that the deponent may reach at logical end and conclude the investigation of the present case."

On account of refusal of concerned senior officials of the social media handle 'X' to cooperate, the police investigation has come to a standstill. Non-cooperation of officials of the social media handle 'X' with police investigations in such matters cannot be countenanced by this Court. Social media handles are not immune from accountability to Indian laws and investigation agencies acting in pursuance of powers vested by law. The arms of the Indian law are long enough to reach any transgression and strong enough to bring the offenders to justice. Prima facie the affidavit appears to be an admission of policing failure. Prima facie responsible officials of 'X' have stonewalled the police

investigations and the police investigations have abdicated their statutory duties. Their conduct will enable the offenders to cheat justice.

The Commissioner of Police, Ghaziabad shall appear in person before the Court on the next date of listing and explain the steps taken to ensure that the responsible officials of the concerned social media handle 'X' lend their cooperation to the police investigation and are held accountable to be process of law.

Put up this matter on 12.08.2026 in the list of fresh cases before the appropriate Bench.

It is clarified that this matter shall not be treated as part heard or tied up to this Bench.

A copy of this order be sent to the Secretary (Home), Government of Uttar Pradesh, Lucknow as well as Director General of Police, Government of Uttar Pradesh, Lucknow.

(Divesh Chandra Samant,J.) (Ajay Bhanot,J.)

July 2, 2026

Ashish Tripathi