

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION
WRIT PETITION (CRL.) NO. 315 OF 2022

NAVEEN KUMAR JINDAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

O R D E R

1. The present Writ Petition, under Article 32 of the Constitution of India, has been preferred by the petitioner-accused to transfer the Complaint/FIRs mentioned in the prayer clause, particulars of which are as under:-

a. Complaint Case at Bhiwandi City Police Thane, Bhiwandi, Maharashtra - Case No. 210/2022 dated 04.06.2022 under Section 295A of the Indian Penal Code;

b. FIR at PS Yavatmal City, Yavatmal, Maharashtra - FIR No. 0367/2022 dated 11.06.2022 under Sections 153A and 295A of the Indian Penal Code;

c. Complaint Case at Jorasanko Police Station, Kolkata, West Bengal - Case No. 165/2022 dated 12.06.2022 under Sections 34, 153A, 295A, 504, 505(2) and 506 of the Indian Penal Code;

d. Complaint Case at Mumbra Police Station, Thane City, Maharashtra - Case No. 528/2022 under Sections 153A, 153B, 295A, 298 and 505 of the Indian Penal Code;

e. FIR at Entally Police Station, Kolkata, West Bengal - FIR No. 197/2022 dated 14.06.2022 under Sections 153A, 295A, 298 and 34 of the Indian Penal Code;

f. FIR at Katigorah Police Station, Assam dated 15.06.2022 to the extent it relates to the present Petitioner only;

g. FIR in New Delhi by Delhi Police IFSO Unit dated 08.06.2022 to the extent it relates to the present Petitioner only;"

to the Cyber Crime Intelligence Fusion Strategic Operation (IFSO) Unit, Special Cell, New Delhi to be investigated with the similar FIR being FIR No. 139 of 2022 dated 08.06.2022 which at present is under investigation by the Cyber Crime IFSO Unit, Special Cell, New Delhi.

2. Having heard Ms. Geeta Luthra, learned Senior Advocate, appearing for the petitioner and Mr. Vikramjit Banjerjee, learned ASG, appearing on behalf of the Investigating Agency-Cyber Crime Unit IFSO Special Cell, New Delhi and considering the fact that the respective complaints/FIRs which are sought to be transferred to New Delhi are arising out of the same tweet by the same twitter handle and therefore taking into consideration the order passed by this Court dated 23.09.2022 in W.P. (CrI.) No. 286/2022 [*Navika Kumar vs. Union of India and Others*], we dispose of the present writ petition with the following directions:-

1. All complaints/FIRs referred to hereinabove in para 1 are ordered to be transferred to the IFSO Unit, Cyber Cell, New Delhi;

2. FIR No. 139 of 2022 dated 08.06.2022 in the P.S. Special Cell, Delhi for the offences under Section 153, 153-A, 153-B 265A, 298, 504, 505, 506 IPC is to be treated as lead case and the same be investigated along with the present FIRs/complaints referred to hereinabove in which the petitioner is the co-accused, which are now ordered to be transferred to IFSO Unit, New Delhi;
3. IFSO unit of Delhi Police shall be at liberty to collect and gather any information from the concerned State agencies, if so required, for the purpose of conducting a thorough investigation and taking it to its logical conclusion; and
4. No coercive steps shall be taken against the petitioner pursuant to the aforesaid FIRs/complaint for a period of eight weeks from today so as to enable the petitioner to approach the concerned Court/Delhi High Court for appropriate relief.

With this, the present Writ Petition stands disposed of.

..... J.
(M.R. SHAH)

..... J.
(M.M. SUNDRESH)

New Delhi;
November 04, 2022.

ITEM NO.31 COURT NO.6 SECTION X
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 315/2022

NAVEEN KUMAR JINDAL Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR ADMISSION and IA No.119426/2022-STAY APPLICATION and IA No.119428/2022-EXEMPTION FROM FILING O.T.)

Date : 04-11-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mrs. Geeta Luthra, Sr. Adv.
Mr. Sriansh Prakash, Adv.
Ms. Pragati Srivastava, Adv.
Mr. Krishna Chaitanya, Adv.
Ms. Richa Srivastava, AOR

For Respondent(s) Mr. Vikramjit Banerjee, ASG
Ms. Neela Kedar Gokhale, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Madhav Sinhal, Adv.
Mr. Divvijay Dam, Adv.
Mr. Siddhartha Sinha, Adv.
Mr. Shivam Singhania, Adv.
Mr. Raman Yadav, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Debojit Borkakati, AOR

Mr. Anand Dilip Landge, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddhartha Dharmadhikari, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The present Writ Petition stands disposed of in terms of the signed order.

Pending applications stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(NISHA TRIPATHI)
ASSISTANT REGISTRAR