

N.C. Jain Vs. Mr. D.K. Goel & Ors

CC. No. 195/1

PS EOW

21.12.2011

Present: Ld. APP for the state.
Sh. Vinod Diwakar, counsel alongwith complainant.
Inspector Mukesh Mukar from Cyber Cell in person.
Status report filed.

As per the Status Report and the queries raised, it is submitted that no cognizable offence is made out and Crime Branch has stopped investigation in this matter.

Heard arguments on application U/s 156(3) Cr.PC.

From the perusal of the complaint, there appears to be allegations of identity theft, Email hacking, impersonation and also criminal intimidation alongwith offences covered under IT Act. The main grievance forwarded by investigating agency is that some of the web sites are not available and data cannot be recovered from it. No explanation as to whether the documents placed by complainant is properly scrutinized or not.

In these circumstance, considering the allegation in the complaint, documents appended with it, there are offences which are cognizable in nature i.e. Offences under IT Act including identity theft. The evidence is mostly on Cyber Space, beyond the purview of complainant, and could be collected only by specialized police team.

In these circumstances, investigation to the allegations be conducted by registration of FIR through SHO PS Crime Branch, Delhi.

Copy of order be given Dasti to Inspector Mukesh for compliance.

Put up for report and consideration on 17.01.2012.

(Rakesh Pandit)
ACMM/SD/Saket/21.12.2011