167 CWP-PIL-279-2026 (O&M) (CNR No: PHHC011665432026)

RAVI RAJ Vs UNION OF INDIA AND OTHERS

Present: Mr. Gaurav Chopra, Senior Advocate, with
Mr. Arjun Sheoran, Advocate,
Ms. Pranhita Singh, Advocate,
Mr. Tejasvi Sheokand, Advocate, and
Ms. Heena Kadyan, Advocate
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Ms. Shreyanshi Verma, Advocate
for respondents No.1 to 3/UOI.

Mr. R.S. Bajaj, Advocate
for respondent No.9.

Mr. Deepender Singh, Additional Advocate General, Punjab, with
Mr. Salil Sabhlok, Sr. DAG, Punjab.

Mr. Akashdeep Singh, Special Public Prosecutor, CBI, with
Mr. K.J.S. Bhullar, Advocate
for the respondents-CBI.

Mr. Aashish Chopra, Senior Advocate, with
Mr. Chandandeep Singh, Advocate,
Ms. Nitik Sharma, Advocate, and
Mr. Abhishek Kumar, Advocate
for respondent No.11.

*****

1. Status reports have been filed by the Punjab police, as per which the investigation in the matter is proceeding. Our attention has been invited to the second status report, wherein it is mentioned that during the course of the investigation, material was *prima facie* found to indicate applicability of offences under section 66F of the Information Technology Act, 2000, and therefore, such section was also added in the matter.

2. Learned senior counsel for the petitioner has invited our attention to the provisions of the National Investigation Agency Act, 2008 ('the 2008 Act'), which makes reference to scheduled offence under section 2(g) of the 2008 Act. By virtue of the amendment incorporated in Schedule to the 2008 Act, Section 66F of the Information Technology Act, 2000, has been included as a scheduled offence.

MOHIT GOYAL
2026.11.05 14:17
I attest to the accuracy and
integrity of this document

3. Learned senior counsel has also placed reliance upon section 6 of the 2008 Act, which reads as under:-

> *"6. **Investigation of Scheduled Offences**.- (1) On receipt of information and recording thereof under section 154 of the Code relating to any Scheduled Offence the officer-incharge of the police station shall forward the report to the State Government forthwith.*
>
> *(2) On receipt of the report under sub-section (1), the State Government shall forward the report to the Central Government as expeditiously as possible.*
>
> *(3) On receipt of report from the State Government, the Central Government shall determine on the basis of information made available by the State Government or received from other sources, within fifteen days from the date of receipt of the report, whether the offence is a Scheduled Offence or not and also whether, having regard to the gravity of the offence and other relevant factors, it is a fit case to be investigated by the Agency.*
>
> *(4) Where the Central Government is of the opinion that the offence is a Scheduled Offence and it is a fit case to be investigated by the Agency, it shall direct the Agency to investigate the said offence.*
>
> *(5) Notwithstanding anything contained in this section, if the Central Government is of the opinion that a Scheduled Offence has been committed which is required to be investigated under this Act, it may, suo motu, direct the Agency to investigate the said offence.*
>
> *(6) Where any direction has been given under sub-section (4) or sub-section (5), the State Government and any police officer of the State Government investigating the offence shall not proceed with the investigation and shall forthwith transmit the relevant documents and records to the Agency.*
>
> *(7) For the removal of doubts, it is hereby declared that till the Agency takes up the investigation of the case, it shall be the duty of the officer-in-charge of the police station to continue the investigation."*

4. Relying upon the above provisions, it is pointed out that on receipt of

MOHIT GOYAL
2026.11.05 14:17
I attest to the accuracy and
integrity of this document

a report under section 154(1) with regard to commissioning of a scheduled offence, the State Government is required to forward the report to the Central Government as expeditiously as possible. On receipt of such information, the Central Government has to determine as to whether the offence is a scheduled offence or not, and also whether it is a fit case to be investigated by the National Investigating Agency. If such a decision is taken by the Central Government, then the investigation by the State Government would have to be stalled, and all documents in that regard would have to be referred to the Central Government.

5. The affidavit filed by the respondent-State does not indicate that the State authorities have taken note of the provisions of the 2008 Act.

6. In that view of the matter, we direct the respondent-State to forward the report with regard to commissioning of scheduled offence in terms of section 6 of the 2008 Act, to the Central Government, positively within 72 hours. The Central Government would take an appropriate decision in the matter on the basis of the report submitted by the State Government, within a week thereafter. The concerned authorities would place before the Court the developments in this regard, by the next date fixed.

7. List on 17.11.2026.

8. It goes without saying that considering the sensitivity of the issue raised, the concerned investigating agency must deal with the matter with all promptness and seriousness.

(ASHWANI KUMAR MISHRA)
CHIEF JUSTICE

(ROHIT KAPOOR)
JUDGE

04.11.2026
mohit goyal

MOHIT GOYAL
2026.11.05 14:17
I attest to the accuracy and
integrity of this document