



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 5017 of 2026

Smt. Shraddha Pathak

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Prashant Pandey
Counsel for Respondent(s)	:	G.A.

Court No. - 47

HON'BLE J.J. MUNIR, J.
HON'BLE TARUN SAXENA, J.

We are not at all satisfied with the personal affidavit filed by the In-charge, Cyber Cell, Police Commissionerate, Lucknow. There is apparently a matrimonial dispute between the petitioner and respondent no.5, and whatever kind of a complaint was there, is attributable to her husband. The stand taken in the personal affidavit of the In-charge, Cyber Cell, Police Commissionerate, Lucknow is very irresponsible. He has relied upon some order of the Ministry of Home Affairs, Government of India regarding blocking, debiting, freezing data received through the Cyber Portal. These are orders, which are not meant to be misused. There is apparently a misuse in the petitioner's case, who has a matrimonial discord with her husband and it is the husband, who has caused some kind of a bogus complaint to be lodged, in connection whereof the Cyber Cell has mechanically invoked the Home Ministry's order to block the petitioner's phone number, for such a long period of time, that it has been allotted to someone else.

The petitioner wants her number restored but the In-charge Cyber Cell now says that the Telecom Company has assigned it to some other customer. A citizen cannot be wronged in this manner by a callous handling by the State Agencies.

Issue notice.

Notice on behalf of respondent nos. 1 to 4 is accepted by Mr. Shashi Shekhar Tiwari, learned Additional Government Advocate. He is granted two weeks' time to file a counter affidavit.

Steps to serve respondent no.5 shall be taken through RPAD within three days. In addition, respondent no.5 will be served through the Chief Judicial Magistrate, Lucknow within three days.

The In-charge, Cyber Cell, Commissioner, Lucknow will take immediate steps for restoration of the petitioner's mobile number after getting in touch with the Telecom Service Provider/ Mobile Service Company concerned, which appears to be JIO Telecom Service Limited, and file his own affidavit after taking necessary steps within a week.

Lay this matter **as fresh** again on **27.05.2026**.

The fifth respondent shall also file a counter affidavit, showing cause as to why for lodging a frivolous complaint against his wife's phone number, damages should not be awarded.

Let this order be served upon the In-charge, Cyber Cell, Commissioner, Lucknow and respondent no.5-Abhishek Pathak through the learned Chief Judicial Magistrate, Lucknow by the Registrar (Compliance) **by Monday next**.

May 15, 2026
Abhishek

(Tarun Saxena,J.) (J.J. Munir,J.)