

News

Delhi High Court rejects NGO Telecom Watchdog plea to quash FIR for using government papers in PIL



Delhi Police had registered a FIR in 2021 for the use of Telecom Department's documents in a PIL made by the NGO.

The Delhi High Court recently dismissed a plea made by NGO Telecom Watchdog seeking to quash a FIR accusing it of unlawfully obtaining government documents forming part of a public interest litigation (PIL) petition the group filed [Telecom Watchdog v Union of India & Ors].

A Division Bench of Chief Justice Devendra Kumar Upadhyaya and Justice Tushar Rao

Gedela also refused to start criminal contempt of court proceedings against the Delhi Police for summoning the non-profit's office bearers.

The Court ruled that the application was not maintainable, as the original PIL in which it was filed had already been disposed of in August 2024.

“Instead of instituting fresh proceedings, the instant miscellaneous application has been moved in a writ petition, which stood disposed of way back on 09.08.2024 and, therefore, keeping in view the law pertaining to the doctrine of functus officio as discussed above, we have no hesitation to hold that the instant miscellaneous application is not maintainable,” the Court said.

The controversy comes from a FIR filed in 2021 after the NGO submitted some Department of Telecommunications (DoT) documents in support of a 2020 PIL before the Delhi High Court challenging alleged irregularities in awarding Telecom contracts. The FIR invoked offences of theft, dishonest receipt of stolen goods and criminal conspiracy.

The group then filed a contempt plea in court on which notices were given.

It was told that the police did not move further in relation to the FIR, and the PIL was withdrawn in August 2024.

The group argued that fresh summons have been given to its office bearers in October and November 2025, after years of inactivity. It said that summons are meant to pressure the group and that accessing documents in the public interest should not trigger criminal proceedings.

Further, it stressed that police warnings amounted to criminal contempt and an attempt to intimidate a public-interest petitioner.

However, the Court said the NGO can challenge the FIR in separate proceedings and dismissed the plea.

Advocates Prashant Bhushan, Pranav Sachdeva, Sanyam Jain, P Rohit Ram and Khushboo Singhal appeared for Telecom Watchdog.

CGSC Pratima N Lakra with lawyer Shailendra Kumar Mishra represented the Union of India.

Standing Counsel (Criminal) Sanjay Lao, Additional Standing Counsel (ASC) Sanjeev Bhandari, Additional Public Prosecutor NK Jha and advocate Aryan Sachdeva stood for the State.

Advocates Vikas Kumar and Ayush Kapur stood for Respondent No. 2.

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