



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 28 of 2025

SHIRIN MALEWAR *versus* UNION OF INDIA

Order Sheet

06.10.2025	Heard Mr. Rudra Pratap Dubey, learned counsel for the petitioner. Also heard Mr. Ramakant Mishra, learned Deputy Solicitor General for the Union of India/respondent No.1 and Mr. Shashank Thakur, learned Deputy Advocate General, appearing for the State/respondent No.2. Mr. Mishra, learned counsel, has prayed for a period of one month to address the matter. It is observed that the first stage concerning the appointment of examiners/experts has already been

completed, and the second stage is presently underway. At this stage, certain queries have been raised by the Union of India to the State Government, which are yet to be replied to. Following the submission of the requisite replies by the State Government, the matter will proceed to the third stage.

It is indeed a matter of significant concern that, despite the enactment of the Information Technology Act, 2000, which was specifically designed to regulate and control cyber activities, there continues to be instances of misuse of technology, posing serious threats to the society at large.

The present Public Interest Litigation highlights this very issue and seeks the urgent appointment or designation of Examiners of Electronic Evidence under Section 79A of the Act for the State of Chhattisgarh, with a view to ensuring that such appointments are made within a reasonable and stipulated time frame.

The procedural formalities required for the appointment or designation of such examiners, though

prescribed by law, remain the responsibility of the designated authorities. Compliance with these formalities, however, cannot be treated as a mere bureaucratic formality. Timely and effective implementation of these measures is critical, as it ensures that the administration of justice in matters involving cyber offences is both efficient and effective. The role of designated Examiners of Electronic Evidence is central to the investigation and adjudication of cyber offences, and any delay in their appointment directly impacts the ability of law enforcement and judicial authorities to address such offences promptly.

It is therefore incumbent upon the concerned authorities to complete all procedural requirements without avoidable delay, keeping in view the larger public interest, the protection of citizens' rights, and the overarching objective of maintaining the integrity of digital evidence in the justice delivery system.

At the request of the learned Deputy Solicitor

Anu	General, the matter is directed to be listed again on 04.11.2025. Sd/- (Bibhu Datta Guru) Judge Sd/- (Ramesh Sinha) Chief Justice
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