

HIGH COURT OF CHHATTISGARH, BILASPUR
Criminal Revision No.115 of 2017

Raman Robinson son of Shri Sukhdayal Ram, age 52 years, Head Cashier, Punjab National Bank, Bhandarpur, Branch, Khairagarh, Rajnandgaon, R/o Ward No.3, Khairagarh Road Dongargarh, Rajnandgaon (CG) Permanent Resident of 316, Tikrapara, Dongargarh, Rajnandgaon (CG)

---- Applicant

Versus

Central Bureau of Investigation, A.C.B. Branch Bhilai, Durg (CG)

---- Respondent

For Applicant	:	Mr.Maneesh Sharma, Advocate
For Respondent	:	Mr.Kishore Bhaduri, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

09/05/2017

1. By the impugned order, the applicant's application under Section 91 of the CrPC for producing CC TV footage from Punjab National Bank, Circle Office Madin Manzil, Kachhari Chowk, Raipur has been rejected.
2. Learned counsel for the petitioner would submit that learned Special Judge has rejected the application holding that CC TV footage is not the part of charge-sheet submitted by the CBI, therefore, it cannot be accepted.
3. On the other hand, learned counsel for the respondent would place reliance of Section 242(2) of the CrPC.
4. I have heard learned counsel appearing for the parties and perused the impugned order.
5. The applicant simply made an application for summoning CC TV footage of Punjab National Bank, Circle Office Madin Manzil, Kachhari Chowk, Raipur, whereas the Special Judge has rejected the application on the ground that CC TV footage is not the part of charge-

sheet submitted by the CBI. The Special Judge is required to consider the application filed by the applicant under Section 91 of the CrPC on its own merit whether concerned Branch of Punjab National Bank can be directed to produce CC TV footage or not. The Special Judge has not considered the application in its true prospective and rejected on the reason, which is impermissible in law.

6. Therefore, the impugned order is set aside. The Special Judge is directed to consider the application of the petitioner strictly in accordance with law in the light of Section 91 of the CrPC after hearing both the parties.

7. The writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-