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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2233/2018**

ANKIT SINGH

..... Petitioner

Represented by: **Mr. Praveen Suri, Advocate.**

versus

STATE & ORS.

..... Respondent

Represented by: **Mr. Piyush Singhal, Advocate
for Mr. Ashish Aggarwal, ASC
for the State with SI Madan
Lal, PS Dabri.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.09.2018

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By this petition, the petitioner seeks further investigation in case FIR No. 329/2016 under Sections 392/411/34 IPC registered at PS Dabri, New Delhi.

The grievance of the petitioner is that while filing the charge sheet the Investigating Agency did not file the records relating to mobile no. 8587045104 and 9541618541. Further no investigation has been carried out in respect of the said mobile phones and to whom the said numbers belong.

On a query put by this Court that the petitioner would have joined the investigation and when did he point the relevancy of the two mobile numbers as noted above, learned counsel for the petitioner states that since the petitioner was in custody he could not have sought for the said

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investigation. Admittedly the petitioner was released on bail on 12th May, 2016 nearly after one month of the arrest. However, the petitioner filed the application to the investigating officer and then an application under the Right to Information Act in this regard only in the year 2018. In case the petitioner is aggrieved by the reply received from the Competent Authority, refusing to give the information under RTI Act writ petition is not the appropriate remedy.

It is well settled that the call detail records of any number are not available beyond one year and as noted above the petitioner has filed an application in relation thereof only after more than two years of the elapse of the date of incident when the same would have been relevant.

Learned proxy counsel for the learned ASC for the State submits that charge sheet has since been filed.

No directions for further investigation can be given on the facts urged.
Petition is dismissed.

MUKTA GUPTA, J.

SEPTEMBER 06, 2018
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