

COCP No. 3420 of 2018
Date of Decision: 01.02.2019

Hans Raj

.....Petitioner

Versus

Dr. Ketan Baliram Patil, IPS

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. P.P.S. Duggal, Advocate
for the petitioner.

Ms. Sudeepti Sharma, Addl. Advocate General, Punjab

NIRMALJIT KAUR, J. (ORAL)

The present contempt petition is filed for non-compliance of order dated 05.09.2018, vide which the following direction was issued:

“Having heard learned counsel for the petitioner, the petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Fazilka to look into the matter and to dispose of representation Annexure P-6 expeditiously, preferably within a period of three weeks from today. In case, any material fact is noticed from the said call details of Sunny then the same be made part of the Challan. In case, the Challan has already been filed then such call details, if found to be material, may be put before the Court under the provisions of 173(8) Criminal Procedure Code.”

Reply by way of short affidavit of Ketan Baliram Patil, IPS, SSP, Fazilka is filed today in Court. The same is taken on record. Copy given to learned counsel for the petitioner. As per para 6 of the said reply the grievance of the petitioner was duly considered and mobile phone tower locations of the police officials requested as well as the applicant's son Sunny were duly obtained and verified and it was found that all the call

detail for 26.03.2018 between 6.00 PM to 8.00 PM reflect the tower location as Village Sajrana, Tehsil Fazilka, District Fazilka that is the place of recovery as per FIR No.36 dated 26.03.2018. According to enquiry report, the representation (Annexure P-6) was found to be false.

However, learned counsel for the petitioner has pointed out that in spite of the direction of this Court to file the call details alongwith the challan, the same has not been done.

SI Punjab Singh, SHO, P.S. Darriwal and SI Balwinder Singh, SHO, P.S. Khui Kheri are present in Court state that the call details as directed by this Court vide order dated 05.09.2018 shall be placed before the trial Court in accordance with law.

In view of the same, the present contempt petition is dismissed.

Rule issued against the respondent stands discharged.

01.02.2019
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No