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

Date of decision: 09.01.2020

+ CRL.M.C. 1851/2017 & Crl.M.A. 7583/2017

SUNIL SHARMA

..... Petitioner

Through: Mr.Kirti Uppal, Sr. Adv. with
Mr.Shailendra Babbar, Mr.Ajay
Kumar, Ms.Manisha Parmar &
Ms.Siddhi Mittal, Advs.

versus

STATE

..... Respondent

Through: Mr.Rahul Mehra, Standing Counsel
(Crl.) with Mr. Panna Lal Sharma,
APP & Mr.Chaitanya Gosain, Adv.
Addl. DCP Seweta Chauhan,
Insp.Jarnail Singh, ACP Tilak R.
Malhotra & Insp.Sailender Sangwan,
SHO/Crime Branch.
Mr. Madhu, NIC, CGO Complex

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

1. Vide the present petition, the petitioner seeks direction thereby to quash the order dated 22.10.2016 passed by Special Judge NDPS-02, (central), Tis Hazari Courts, Delhi in FIR No.82/15, P.S Crime Branch, in case titled as State vs. Sunil Sharma, whereby an application bearing no. M.A. No. 36/2016 Under Section 91 of the Code of Criminal Procedure was

disposed off.

2. The petitioner moved an application under section 91 of the Cr.P.C. seeking direction to the service provider M/s Vodafone India Limited to provide CDRs of mobile number 9811104884 of the petitioner and 9711946898 of son of the petitioner and mobile number 9560838726 of employee of the petitioner.

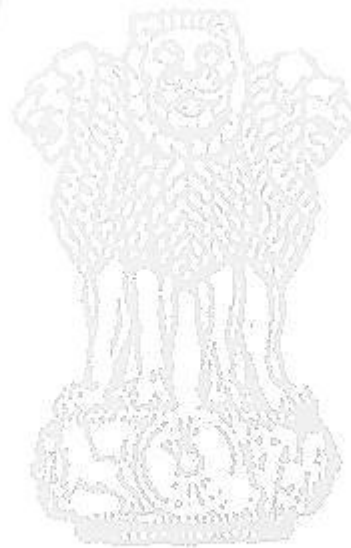
3. Mr.Rahul Mehra, learned Standing Counsel (Crl.), on instructions, stated that as per the reply received from Vodafone, it is stated that the CDR is available only for a period of one year in their CDR portal. He further submits that if the CDR of the aforesaid mobile numbers are available with Vodafone, they have no objection if said service provider provides the CDR of the aforementioned numbers in Trial Court in accordance with law for the period of 30.05.2015 to 31.05.2015.

4. Accordingly, Vodafone Mobile Services Ltd. (Circle Head Office) C-48, Okhla Industrial Area Phase 2, Delhi - 110020, Near Block C, is directed to provide CDRs of abovementioned mobile numbers, if available with them and in accordance with law before the Court of Ms.Neelofer Abida Perveen, learned ASJ, Central District, Tis Hazari Courts, Delhi within one week from the receipt of this order.

5. Registry of this court is directed to transmit the copy of this order to the Incharge of Vodafone India Limited immediately for compliance.
6. In view of above directions, the petition is disposed of.
7. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

JANUARY 09, 2020
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न्यायमेव जयते