

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-2797-2021(O&M)
Date of decision: 21.01.2021**

Pawan Kumar Sharma

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Challenge in the present petition is to the order dated 08.01.2021 (Annexure P-1) passed by the learned Additional Sessions Judge, Hisar, whereby an application filed by the petitioner for issuance of directions to the Cyber Cell, Superintendent of Police, Hisar/Cyber Cell, Hisar to preserve the location chart as well as movement track record of various mobile numbers mentioned therein, has been dismissed.

Learned counsel for the petitioner submits that the impugned order has been passed without taking into consideration the fact that the petitioner had specifically mentioned the telephone numbers in the application and thus, there was no occasion for the trial Court to dismiss the application on the ground that the names of the officials to whom the said mobiles belonged, were not mentioned.

Notice of motion.

On the asking of this Court, Mr. Apoorv Garg, DAG Haryana, accepts notice on behalf of the respondent-State and submits that the application filed by the petitioner was rightly dismissed by the trial Court as the petitioner did not disclose the names of the officials whose mobiles' call details were sought to be preserved.

At this stage, learned counsel for the petitioner states that if granted liberty, he may move a fresh application giving complete details, including the names of the officials, whose mobile numbers were given in the earlier application.

In view of the above, the impugned order is set aside, reserving liberty to the petitioner to file a fresh application with complete details, before the trial Court, within 15 days from today. If such an application is filed by the petitioner within the said period, the Court concerned shall make endeavours to decide the same expeditiously, in accordance with law.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

21.01.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No