

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 119

CRM-M-7989-2022

Date of decision : 07.03.2022

Imran

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Arjun Veer Sharma, Advocate, for the petitioner.

Mr.G.G.Dhuriwala, Sr. DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The petitioner, who is accused in FIR No.95 dated 25.02.2020 registered under Sections 22, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 467, 468, 471 and 120-B IPC added later on) has approached this Court through the instant petition filed under Section 482 Cr.P.C. seeking therein issuance of a direction to the Trial Court for disposal of an application, filed by him for preservation of call details/tower locations of mobile phones of the investigating officer and the relatives of the petitioner, in a time bound manner as according to him, as per applicable instructions of the Government of India dated 21.12.2021, in case the aforesaid application is not decided by 16.03.2022, the same shall become infructuous as after such date, the respective mobile company(s) would not be required to preserve the data of which preservation is sought.

Learned State counsel, who appears on advance notice, submits that though he opposes the aforesaid application on its merits but has no objection to the issuance of directions to the Trial Court to dispose of the same in a time bound manner, in accordance with law.

All that the petitioner seeks from this Court is a direction for expeditious disposal of his application dated 22.12.2021 filed by him before the Trial Court on the pretext that after 16.03.2022 the same shall be rendered infructuous.

After considering the afore submissions the present petition is disposed of with a direction to the Trial Court to finally adjudicate upon the petitioner's aforesaid application before 16.03.2022. However, before such decision the State shall be granted a reasonable opportunity to defend the same.

It is clarified that through the instant order this Court has not expressed any opinion on the merits of the petitioner's application dated 22.12.2021.

07.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No