

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

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CRM-M-21576-2022

Date of Decision: 18.05.2022

Bhinder Kaur and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Yagsimant Attri, Advocate, for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

1. The limited prayer for which the petitioner has come up before this Court is to preserve the call details of a (1) Mobile bearing No. 95014-08282, 98151-67265 Airtel Company in the name of Gurmeet Singh Nambardar, (2) Mobile No. 78889-74297 Airtel Company in the name of Amandeep Singh son of Gurnam Singh, (3) Mobile No. 99154-75084 Airtel Company in the name of Gurnam Singh son of Joginder Singh, (4) Mobile No. 97817-74185 Jio Company in the name of Kulwinder Singh, (5) Mobile No. 95929-45900 Idea/VI Company, 98777-09604 Jio Company in the name of H.C. Safi Mohammad, (6) Mobile no. 95016-88163, Airtel Company, 75278-18904 Idea/VI Company in the name of ASI Maghar Singh, (7) Mobile No. 98149-00673 BSNL Company in the name of ASI Inderjit Singh Reader DSP Nabha, (8) Mobile No. 99147-00624 Airtel Company in the name of SI Harbhajan Singh, (9) Mobile No. 95929-12422 Idea/VI Company & 97810-43001 VI/Idea Company in the name of SHO Bhadson Amritveer Singh, (10) Mobile No. 95929-12511 Idea/VI Company, Mobile No. 99153-00882 Airtel Company & 98764-91948 Airtel Company in the name of DSP Nabha Rajesh Chhibar, (11) Mobile No. 94171-24284 BSNL Company in the name of Kala Ram Kansal, Sub Divisional Magistrate, Nabha, (12) Mobile No. 98145-40814 Idea Company in the name of Charanjit Batish the then P.A to Sadhu Singh Ex. Minister to preserve the call details as well as location of above mentioned mobile numbers from date 10.05.2021 to 30.07.2021 the relevant period which application filed by the petitioner was dismissed finally on the ground that the phone did not belong to him.

2. Learned counsel for the petitioner submits that he has been arraigned as accused in the present case at the instance of persons, who were hand in glove with police because he was a witness in a murder case which was illegally compromised out of the Court and petitioner was against them. To prove his innocence preservation of call details is necessary.
3. The nature of contentions is very serious and in case, calls are not preserved it will be overridden after one year. The petitioners seek to preserve call details till 31.05.2022 as only two weeks are remaining.
4. Given above, no response is required in this case.
5. The present petition is allowed and the order is set aside. The concerned Investigator/SHO concerned is directed to preserve the call details of mobile numbers as prayed for. Let the State counsel to communicate the order to the concerned SHO promptly, who shall immediately inform the concerned company to preserve the call details and to ensure that date is not erased after lapse of time.
6. The call details to be preserved the evidentiary value of which and locus will be decided by the learned trial Court.
7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

(ANOOP CHITKARA)
JUDGE

18.05.2022
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No