

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

111

CRR-1116-2021

Date of decision: 06.01.2022

Satpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

Present : Mr. Rishi Pal Singh, Advocate
for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

Learned counsel is impugning the order dated 16.08.2021, passed by the learned Additional Sessions Judge (Fast Track Special Court for the offences of Rape and under POCSO Act), Kurukshetra, vide which an application moved by the petitioner under Section 207 Cr.P.C. was dismissed, wherein, he had sought the CCTV footage of the house of the complainant, voice samples, call record details and certain statements recorded under Section 161 Cr.P.C. by the Investigating Agency.

Learned counsel submits that the trial Court failed to appreciate that since the aforementioned had not been provided to the petitioner when a copy of final report under Section 173 Cr.P.C. was supplied to him, it had seriously prejudiced his case and his right to a free and fair trial.

Heard and perused the impugned order and material on record.

A perusal of the impugned order reveals that all the material collected by the Investigating Agency during investigation

including relevant call details, a CD and legible copies of other relevant documents already stand provided to the petitioner. However, as far as the CCTV footage, voice sample and statements recorded under Section 161 Cr.P.C. of some persons are concerned, the question of providing the accused/petitioner, the same does not arise, as they were not obtained by the Investigating Agency during the course of investigation and thus, are not part of the final report under Section 173 Cr.P.C.

In addition, a prayer has also been made by the learned counsel to provide him with the record of further investigation carried out and a copy of certain relevant letters sent to S.P. Kurukshetra by the Commanding Officer of the unit of the husband of the complainant.

A perusal of the application filed by the petitioner under Section 207 Cr.P.C. (annexed as Annexure P-1) before the learned trial Court, reveals that no such prayer was made before the trial Court. Hence, this Court would refrain from exercising its revisional jurisdiction to issue any such directions. However, the petitioner is at liberty to move an appropriate application in the said regard before the learned trial Court.

Petition stands dismissed.

06.01.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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