

14.12.2023  
item No.13  
Rakib (PA)  
ct. no. 34

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION  
APPELLATE SIDE**

**CRR 1378 of 2023  
With  
CRAN 1 of 2023**

**Samiran Patra  
Vs  
The State of West Bengal**

Mr. Kallol Mondal,  
Mr. Pawan Kumar Gupta,  
Ms. Salma S. Shah.

.... For the Petitioner.

Mr. Rudradipta Nandy,  
Mr. Anand Kesari.

.... For the State.

The present revisional application was preferred challenging the order dated 10.02.2023 passed by the learned Chief Judge, City Sessions Court, Calcutta in Sessions Case No. 59 of 2022 arising out of Burrabazar Police Station Case no. 130 dated 07.06.2023.

Records reflect that an application was taken out by the petitioner with the following prayers:

*“Hence, it is most humbly prayed that your Honour would be pleased to direct the Officer In Charge, Burrabazar Police Station and/or any higher ranked Police Officer to make necessary arrangement for bringing report and production of documents in connection with the I.P. address, tower location and Call details Report as per the Schedule hereinabove, from the nodal officer of the Scheduled network Service Provider as per the provision under Section 91 Cr.P.C. read with Section 66 of the Evidence Act for just and proper adjudication of the case and for the ends of justice.”*

At the stage of admission of the revisional application a Coordinate Bench of this Court by the order dated 28.04.23 was pleased to direct amongst others:

*“In the meantime, the Officer-in-Charge of Burrabazar Police Station is specifically directed to obtain the Call Details Report and tower location of the Investigating Officer dated 9<sup>th</sup> June, 2022 during the period between 2:15 hours to 2:45 hours immediately. Pending collection of the said information, the service provider be asked within one day from the date of communication of the order to preserve the call details, tower location and CDR of the Investigating Officer dated 9<sup>th</sup> June, 2022.”*

Mr. Nandy, learned Advocate appearing for the State has submitted that there has been compliance, so far as preservation of the CDRs are concerned and the same is with the service provider. The investigating officer of the case is directed to collect the said CDRs. He is directed to redact all the phone numbers/mobile numbers which are available there in the sheets which are downloaded. However, the tower location and the time must be present in the said sheet. The original would be retained with the investigating officer of the case and the redacted copies would be submitted with the trial Court in a sealed cover. The same would be retained by the learned Trial Court and at the appropriate stage of the trial the Court would consider regarding the necessity according to the settled proposition of law.

With the aforesaid observations CRR 1378/2023 is disposed.

Accordingly, CRAN 1 of 2023 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**