

CRR-1143-2024 (O&M)

118

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRR-1143-2024 (O&M)  
Decided on: 31.05.2024

Roshan Lal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sunil Goswami, Advocate for the petitioner.  
  
Mr. Vikrant Pamboo, Sr. DAG, Haryana.

\*\*\*\*

ANOOP CHITKARA, J.

| FIR No. | Dated      | Police Station | Sections                                |
|---------|------------|----------------|-----------------------------------------|
| 23      | 10.08.2022 | SVB Karnal     | 7, 13(1)(b) r/w Section 13(2) of PC Act |

**CRM-24620-2024**

Allowed, as prayed for.  
  
Documents at Annexures P-1 to P-4, are taken on record.

**Main case**

1. Aggrieved by the dismissal of the application for preserving call details and mobile location of the raiding party with regard to the FIR captioned above, the accused has come up before this Court by filing the present petition under Section 397 r/w 401 CrPC.
2. The nature of order this court proposes to pass, no response is required from the respondent.
3. Petitioner’s counsel confines his prayer to preservation of call details and does not press the details for mobile location.
4. Counsel for the State Mr. Vikrant Pamboo, Sr. DAG, Haryana, opposes the petition on the ground that the application was cryptic and no reasons had been mentioned for preservation. He also cited the reasoning part of the order to



CRR-1143-2024 (O&M)

demonstrate that order suffers from no illegality because it was also filed after a delay of 1½ year of registration of the present FIR.

5. At this stage, petitioner's counsel submits that there is no delay as service provider preserve call details for two years and after that direction is required to preserve record/details. The communication companies preserve call details upto two years itself shows that so much window was granted by the authorities.

6. Given above, the concerned investigator company to preserve the call details of the numbers given in the application of petitioner from 09.08.2022 to 10.08.2022 which are reproduced in the order dated 23.05.2024 passed by the Additional Sessions Judge, Jind. It is clarified that call details shall not be given to the petitioner unless he files an application before the concerned Court justifying the reasons for such supply. The investigator will supply copy of the order to the concerned service provider and shall ensure qua preservation of call details.

**Petition is partly allowed with the aforesaid observation.** All pending applications, if any, stand disposed.

**CRM-24621-2024**

In view of the order passed in the main case, no order is required to be passed in the present application and the same is disposed of accordingly.

(ANOOP CHITKARA)  
JUDGE

31.05.2024  
anju rani

|                            |     |
|----------------------------|-----|
| Whether speaking/reasoned: | Yes |
| Whether reportable:        | No. |