

272 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59076-2023

Date of Decision : July 30, 2024

Sukhwinder Singh

.....Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajesh Narang, Advocate for the petitioner.

Mr. Mohit Saroha, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of FIR No.01 dated 29.08.2022 under Section 25 of the Arms Act, 1959 registered at Police Station State Special Operation Cell, Fazilka, District Intelligence Wing (CID) (Annexure P-2) and for preservation of mobile tower location of the police party which arrested the petitioner.

On 12.03.2024, the following order was passed :-

“The State Counsel prays for time to file reply to the petition.

List on 30.07.2024.

In the meantime, the concerned Authorities are directed to preserve the mobile tower location of the police party who arrested the petitioner as well as of the petitioner as detailed in Annexure P-21.”

Reply by way of affidavit dated 26.07.2024 of Shri Varanjit Singh, PPS, Deputy Superintendent of Police, State Special Operation Cell, Fazilka filed today in the Court is taken on record.

**CRM-M-59076-2023****-2-**

The learned counsel for the petitioner submits that the call records, including the mobile tower location of the police party have been preserved. He further submits that directions be issued to the Investigating Agency to produce the call records and tower location of the police party before the trial Court for its perusal.

The learned counsel for the State submits that the record which was preserved cannot be handed over to the petitioner. However, the same shall be produced before the trial Court for its perusal as the trial is in progress and 04 out of the 10 prosecution witnesses stand examined.

In view of the contention of both the parties, the present petition is disposed of with a direction to the Investigating Agency to present the preserved call records/mobile tower location of the police party before the trial Court immediately.

(JASJIT SINGH BEDI)
JUDGE

July 30, 2024
satish

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO