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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-12524-2024(O&M)
Date of Decision: 26.12.2024

Amanpreet Singh

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ajeet Pal Singh Pakka, Advocate for the petitioner.
Mr. P.S. Bhandari, AAG, Punjab alongwith
Inspector-Mandeep Singh, SHO, Derabassi.

SANJAY VASHISTH, J.(Oral)

CRM-W-1635-2024

Present application has been filed under Section 528 of BNSS, 2023,
for placing on record the photographs taken from the CCTV footage, while
taking away the detenue illegally and forcibly, as Annexure P-3.

For the reasons enumerated in the application, same is allowed and the
photographs are taken on record as Annexure P-3. Registry is directed to tag
the same at appropriate place with the paper-book.

CRWP-12524-2024(O&M)

1. In compliance of the order dated 22.12.2024 passed by this Court,
learned State counsel has filed the reply by way of affidavit of Manpreet
Singh, PPS, Superintendent of Police (Rural), District SAS Nagar, on behalf



of respondent/State. The same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

2. Learned State counsel refers to paragraph Nos.4,8, 9 and 12 of the said reply, which are reproduced herebelow:

“4. That from perusal of report it transpired that previously on 05.12.2024 a complaint bearing no. 244/5-D/2024 was received at PP Mubarakpur, PS Dera Bassi from Jaspal Singh owner of M/s Ajit Tyre House, Mubarakpur, wherein it was alleged that on 04.12.2024 he has closed his shop at around 07:00 PM and left for home. Thereafter, on 05.12.2024, at around 09:30 AM he has received telephonic information from Laddi, who works as an electrician opposite his shop; to the effect that shutter of complainant's shop premises was lying broken. Pursuant thereto, complainant inspected his shop premises and found that new tyres of scooter, three wheeler, car, tractor and trucks from his shop, were stolen by some unknown persons.

8. That during the course of investigation in aforesaid FIR, on 20.12.2024 complainant-Jaspal Singh has produced a video clipprocured from CCTV Camera installed outside Butcher shop (M/s Jassi Meat Shop) situated opposite to place of occurrence and recorded his supplementary statement. From the perusal of said Video clip and supplementary statement of complainant, it was revealed that at around 01:00 AMon 05.12.2024 Harpreet Sing(alleged detenue) was present outside Fastway Cable office i.e. M/s Sharma Cable Supplies, Mubarakpur, situated opposite shop of complainant and was tinkering with CCTV cameras installed therein which covered the shop of complainant/adjoining area and it was Harpreet Singh who has stolen tyres from shop of complainant.

9. That in view of the above, Jatinder Narang c/o Sharma Cable Supplies, Jaswinder Singh alias Jassi c/o Jassi Meat Shop, were joined in investigation and after verification of facts from them and on the basis of identification made by complainant who knew Harpreet Singh previously, he (Harpreet Singh) was nominated as an accused person in the present matter vide case diary no.4 dated 20.12.2024.

12. That during arrest proceedings accused Harpreet Singh was noticed throwing away his mobile phone. However, said mobile



phone of Harpreet Singh was recovered and during examination numerous pictures of tyres shared for sale on cheaper rates than actual market price with one Hardik and Gaurav Gaba, were recovered from his whatsapp Tyres visible in said pictures were identified by the complainant as tyres stolen from his shop. ”

3. Faced with the stand taken in reply, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to avail alternative remedy available in accordance with law.
4. Dismissed as withdrawn with the liberty as sought and recorded hereabove.

(SANJAY VASHISTH)
JUDGE

December 26, 2024
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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |