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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

112

CRWP-3290-2025 (O&M)
Date of decision: 04.09.2025

Deepak Mahajan**...Petitioner**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Petitioner in person.
(Through VC)

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking quashing of order dated 18.09.2024 (Annexure P-1), whereby an application filed by the petitioner under Section 340 of Cr.P.C. for giving direction to the mobile phone company and service provider company as well as to the police to investigate and trace the location of respondent No. 2-Narinder Saini had been dismissed by the Court of learned Judicial Magistrate First Class, Pathankot. The petitioner had also prayed that if respondent No. 2 had any other mobile number, then call details of that number and his contact numbers be also checked and also to get the CCTV footage of certain places.

2. The brief facts of the case as emerging from the perusal of the record are that in March or April, 2018, respondent No. 2-Narinder Saini, who was working as a Draftsman, had visited the suit property for demarcation and marking. According to the petitioner, respondent No. 2 had come to the property either between 14th and 21st March 2018, or somewhere between 10th

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March and 10th April 2018. However, the petitioner alleged that respondent No. 2 gave false testimony in Court to alter the date of demarcation. A perusal of the record reveals that the petitioner did not lead any preliminary evidence before the trial Court in support of these assertions. It is a settled fact that telecom companies preserve data for only two years, after which the same is deleted. The petitioner, however, is seeking call records from the year 2018, which is far beyond the prescribed period. Moreover, his claim appears speculative, as he is uncertain not only about the exact date of the visit but also about the mobile number allegedly used by respondent No. 2. With respect to the CCTV footage, the petitioner has not specified the shop or location where the cameras were installed. Even assuming that CCTV cameras existed, it would still require consideration whether such footage would be available at this stage, or whether any such direction could be issued by the Court. The petition thus lacks specificity, is vague in nature, and is poorly drafted, making it difficult to discern the petitioner's precise case. By filing such a petition, the petitioner has unnecessarily consumed the Court's valuable time. Finding no merit, the petition is dismissed with costs of ₹5,000/-.

3. The petitioner is directed to deposit the aforesaid cost with the District Legal Services Authority, Pathankot within a period of one month from today. Let a copy of this order be sent to DLSA concerned for intimation.

04.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No