



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-36395-2025
Decided on : 19.08.2025

Daljjit Kaur

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. A.S. Khosa, Advocate, for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 528 of the BNSS, 2023, seeking, *inter alia*, partial setting aside of the order dated 30.06.2025 (Annexure P-2) passed in *State v. Daljit Kaur*, CRM/503/2025, as well as issuance of directions to respondent No.3 – ASI Sanjiv Kumar, Incharge, Police Post Sham Chaurasi, District Hoshiarpur, to preserve the video recordings of all cameras installed at the said Police Post and to thereafter produce the said electronic record before the Court.

2. On 14.07.2025, following order was passed:-

“1. By way of present petition filed u/s 528 of BNSS, 2023, petitioner is seeking partly setting aside of the order dated 30.06.2025 (Annexure P-2), titled as, “*State v. Daljit Kaur*”, i.e., CRM/503/2025 and issuing directions to respondent No.3 – ASI Sanjiv Kumar, Incharge Police Post Sham Chaurasi, Hoshiarpur to preserve the video recordings of all the cameras installed at Police Post Sham Chaurasi, Hoshiarpur and to produce the electronic record in the Court.

2. Counsel for the petitioner submits that the petitioner is aggrieved by the denial of preserving the CCTV camera recording in the premises of Police Post Sham Chaurasi, regarding which ASI Sanjiv Kumar, Incharge Police Post Sham Chaurasi, Hoshiarpur, made a



statement before the Court below (ASJ, Hoshiarpur), as recorded in the order dated 30.06.2025.

3. *Let a copy of this order be forwarded to the Senior Superintendent of Police, Hoshiarpur, and after verifying the factual position, an affidavit be filed in this regard, before this Court.*

4. *List again on 28.07.2025.*

To be shown in the urgent list.”

3. Today, learned State counsel has filed a status report by way of affidavit of Sandeep Kumar Malik, IPS, SSP, District Hoshiarpur, dated 18.08.2025, on behalf of respondent No.2, in Court, which is taken on record, subject to all just exceptions. Office to tag the same at the appropriate place.

A copy thereof has been handed over to learned counsel for the petitioner.

4. Learned State counsel reads out paragraph Nos.4 & 5 of the aforesaid status report and submits that the Police Post started functioning on rental basis in the premises owned by one ‘Paramjit Singh’. The CCTV cameras were already installed therein by the landlord – Paramjit Singh, however, at the time of taking over by the Police Department, the said cameras were never found in a functional condition. It is further submitted that there was no control of the police officials over the cameras and DVRs installed by the landlord. In the affidavit filed by the SSP, it has also been averred that no CCTV footage can be provided, for the reasons assigned in the said affidavit.

5. For reference, paragraphs No.4 & 5 of the aforesaid status report are reproduced here-under:-

“4. *That it is also respectfully submitted that the said hanging non-*



operational cameras were never got removed by landlord nor removed by the police of police post Sham Chaurasi after taking the premises of police post Sham Chaurasi on rent. It is again submitted that the police of police post Sham Chaurasi never installed the alleged cameras on the premises of police post Sham Chaurasi, Police Station Bullowal, District Hoshiarpur and nor having control of DVR.

It is also relevant to mention here that it is categorically clarified in the impugned order dated 30.06.2025 passed by Addl. Sessions Judge, Hoshiarpur during the course of hearing, "ASI Sanjiv Kumar submitted that as the building is rented one and CCTV cameras might have been installed by the previous owner/landlord from whom the premises have been taken on rent. He further submitted that he has no record of any CCTV footage to be preserved in PP Sham Chaurassi and unable to produced the same"

It is also respectfully submitted that due to the above said reasons the Learned Court of Additional Sessions Judge, Hoshiarpur rightly held while passing the impugned order that no direction can be passed in such circumstances to PP Chaurassi to preserve the CCTV footage.

Moreover, no representation is received from the petitioner after the impugned order passed by the Learned Court of Additional Sessions Judge, Hoshiarpur as directions was issued to the petitioner to avail the remedy before the SSP Hoshiarpur if still feels aggrieved.

5. That the deponent again respectfully submitted that as per record & factual position as stated above, since the CCTV cameras were neither installed by police authority in said Police Post Sham Chaurasi nor the cameras were in the working condition as DVR was also damaged in view of the aforesaid statement of Landlord Paramjit Singh. The Cameras and DVR were also in the control of Landlord Paramjit Singh since beginning when the premises of police post was taken on rent. Therefore, no CCTV Footage can be provided in this case by the Police Authority in the present case due to above mentioned circumstances."

6. In view of the explanation given in the aforesaid status report, this Court does not find any reason to doubt the same. Therefore, the direction sought by the petitioner through the present petition cannot be issued, as it would be of no consequence, once it stands established that there is no CCTV footage available of the place, as explained by the SSP in



status report/affidavit dated 18.08.2025. It is also noticed that the Investigating Agency is still in the midst of the investigation process and the FSL report is yet to be received.

7. In view of the aforementioned circumstances, no further direction is warranted in the present petition, which is accordingly **disposed of**.

Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

August 19, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No