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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1194/2018 & CrI.M.A. 4349/2018 & CrI.M.A. 6275-76/2018

THE STATE GOVT OF NCT OF DELHIPetitioner
Through: Mr. Utkarsh, Additional Public
Prosecutor for State with SI Pramod
Kumar

Versus

ANIL KUMARRespondent
Through: Mr.Jairaj Singh, Advocate

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **21.04.2025**

1. The present Petition under Section 482 Cr.P.C. has been filed by the Petitioner against the Order dated 04.12.2017 passed by the learned Trial Court whereby directions have been issued to procure Call Details Record and Location via Mobile Tower of all the members of the raiding team and also the secret informer in case FIR No. 205/2017, under Sections 20/25 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Crime Branch, Delhi.
2. The learned Additional Public Prosecutor for State has submitted that it is a one line cryptic Order, not disclosing why the call detail record is required. It is submitted that call record of the secret informant cannot be directed to be procured, as the identity of the secret informant is always kept confidential. Even if the call detail record and location of the raiding team is procured, it would also disclose the identity of the secret informant. It is



further submitted that the case is at the stage of recording of the statement of accused and therefore, the impugned order is liable to be set aside.

3. Learned Counsel appearing on behalf of the Respondent submits that this is material evidence relevant for the defence of the accused and there is no infirmity in the impugned Order. The present Petition is liable to be rejected.

4. Submissions heard.

5. Though the impugned order merely states that the Call Detail Record and location of the entire raiding team and secret informant be preserved but it does not give any reason. It is evident that the accused want to question the presence and the location of the Raiding Team, for which the Call Detail Record is significant evidence.

6. There is no infirmity in the impugned Order in so far as procuring of Call Detail Record and Location via mobile Tower of the raiding team is directed to be procured. However, so far as secret informant is concerned, his identity cannot be disclosed and the Call Detail Record cannot be directed to be procured.

7. Accordingly, impugned Order dated 04.12.2017 is partly modified to the extent that no Call Detail Record of the secret informant can be directed to be procured.

8. With aforesaid directions, the present Petition and pending Applications are accordingly disposed of.

NEENA BANSAL KRISHNA, J

APRIL 21, 2025

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