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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 8144/2025**

PAWAN SHARMA

.....Petitioner

Through: Mr. Divyansh Thakur, Mr. Anil
Kumar, Adv and Mr. Pawan Sharma,
Adv.
Petitioner in person.

versus

STATE OF NCT DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP with W/SI
Rakhi, SI Yogesh & ASI Pawan
Kumar.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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27.11.2025

CRL.M.A. 34032/2025 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CRL.M.C. 8144/2025

1. This is a petition under Section 528 BNSS seeking quashing of the order dated 03.04.2025 passed by the Ld. Additional Sessions Judge in case FIR no. 466/2023, under Section 323/341/506/427/34 IPC, PS Kanjhawala.
2. Petitioner in person submits that he has been repeatedly subjected to assault by the accused persons in collusion with the police officials and despite registration of multiple FIRs, the police had failed to conduct fair investigation and suppressed the evidence and filed false reports and



avoided arresting the accused. It is also submitted that evidence has been destroyed including the CCTV footage and refusal to preserve the CDR.

3. Petitioner further submitted that he sought preservation of the CDRs and location chart of all the accused persons including the two charge sheeted accused persons. However, the Trial Court dismissed such application under Section 91 Cr.P.C. erroneously holding that the petitioner has not provided any phone number of the accused persons. It is thus submitted that the impugned order suffers from perversity. It is argued that CDR and location chart of all the accused persons is very crucial for a fair and successful prosecution and thus falls within the ambit of “necessary and desirable” for the purpose of investigation, inquiry and trial within the meaning of Section 91 Cr.P.C.

4. Per contra, Ld. APP submits that as per allegations in the FIR registered at the instance of the complainant, the complainant and his wife were beaten by the two named accused namely Ravinder and Umed along with 5-6 other persons who were in muffled face. She states that based upon the evidence, the charge sheet has been filed against only two accused namely Ravinder and Umed. However, the petitioner sought preservation of the call detail records of 14 persons (excluding Ravinder and Umed) without providing any phone numbers.

5. The impugned order dated 03.04.2025 records that petitioner did not furnish any mobile numbers of those 14 persons and also takes note that the CDRs involves privacy of the subscriber of the phone and the investigation conducted has revealed that those 14 persons were not ever suspected by the complainant or were part of the investigation and thus their CDRs are of no relevance with the enquiry of the Trial of the case.



6. Admittedly, the aforesaid 14 persons were not part of the police investigation or suspects and their mobile numbers were not furnished by the petitioner as also the fact that CDRs involves the privacy of the subscriber of the phone, this Court finds no compelling reason to interfere with the orders of the Ld. Trial Court. The Court finds no infirmity and perversity in the impugned order.

7. There is no merit in the present petition. The petition is therefore dismissed.

RAVINDER DUDEJA, J

NOVEMBER 27, 2025/lks/ma