



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

CRM-M-8614-2022 (O&M)

Reserved on:-25.05.2026

Pronounced on:- 29.05.2026

Uploaded on:- _____

*Whether only operative part of the judgment is
Pronounced or the full judgment is pronounced: operative part/full judgment*

SUMIT SINGH

...Petitioner

Versus

STATE OF HARYANA AND ANR.

....Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Anoop Verma, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana.

Mr. Kamal Chaudhary, Advocate
for respondent No.2.

Mr. Alankit Bhardwaj, Central Govt. counsel
for the respondent-Post Office.

MANDEEP PANNU, J.

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 474 dated 06.08.2021, registered under Sections 380 and 454 of the IPC, 1860 at Police Station Ballabgarh City, District Faridabad, along with all consequential proceedings arising therefrom, on the basis of the peculiar facts and circumstances mentioned in the petition.

2. Briefly stated, the prosecution story is that FIR No. 474 dated 06.08.2021 under Sections 380 and 454 IPC was registered at Police Station



Ballabgarh City, District Faridabad on the basis of a complaint moved by the Department of Posts, Ballabgarh MDG. As per the allegations, on 26.07.2021, it was found that the CCTV camera system installed at the office was not reflecting any video footage. Upon checking by the concerned mechanic/vendor, it was reported that the original hard disk of 4 TB installed in the CCTV setup had been removed and another 500 GB hard disk had been inserted in its place. It was further alleged that the data cable connected to the hard disk had also been cut from its tip. Consequently, a request was made to the police authorities for registration of an FIR regarding theft of the hard disk from the CCTV camera setup installed at Ballabgarh MDG against unknown persons.

3. Learned counsel for the petitioner contends that the petitioner was working as a Postal Assistant at Ballabgarh Post Office and has been falsely implicated in the present case, whereas respondent No.2 Vikas Sehrawat had allegedly admitted to removing the CCTV hard disk and had even written a letter dated 04.08.2021 admitting his guilt and seeking pardon. It is further contended that the stolen hard disk was also recovered at the instance of Vikas Sehrawat and a video recording of such recovery was available, however neither the police nor the department took any action against him. Counsel further submits that the petitioner was nominated only on the basis of the statement of Chowkidar Chet Ram and statements of co-employees, none of whom had actually seen the petitioner committing the alleged theft. It is also argued that the investigating agency ignored the material evidence including the letter, video and photographs, and made the petitioner a scapegoat under a pre-planned conspiracy, resulting in his



suspension from service. It is further contended that the offence under Section 454 IPC is not made out and that the challan was presented without awaiting the forensic report or examining the recovered data from the hard disk.

4. Learned State counsel assisted by learned counsel for respondent No.2 submits that the FIR in question was registered on the complaint of the Sub-Postmaster, Ballabgarh, after it was found that the original 4 TB hard disk installed in the CCTV setup of the Post Office had been removed and replaced with another hard disk. During the initial investigation, statements of employees of the Post Office, including Chowkidar Chetram and sweeper Karan, were recorded, wherein it surfaced that the petitioner Sumit Singh was seen tampering with the CCTV box and co-accused Vikas Sehrawat also named the petitioner as the person who had removed the hard disk. It is further contended that the petitioner joined investigation on 24.09.2021, admitted his guilt and got the hard disk recovered, pursuant to which challan was presented against him. Learned State counsel further submits that, in compliance of directions issued by this Court, further investigation was personally supervised by the Commissioner of Police, Faridabad. During further investigation, the petitioner produced his Lenovo mobile phone, which was sent to DITAC Gurugram for analysis and retrieval of data. The hard disk having storage capacity of 6 TB was also sent to DITAC Gurugram for retrieval of CCTV footage, whereafter approximately 3.64 TB CCTV footage was retrieved and analysed. Upon analysis of the CCTV footage, it was found that sweeper Karan entered the post office premises at about 04:52 AM on 26.07.2021, Vikas Sehrawat entered at about 06:12 AM



and the petitioner Sumit Singh was seen arriving at about 06:14 AM on his motorcycle. It is further submitted that Camera No.12 installed in the room of the Post Master, from where the hard disk was stolen, also showed the relevant movement inside the office premises. State counsel further submits that the data retrieved from the petitioner's mobile phone contained photographs pertaining to the hard disk, photographs of the drain and a video clip relating to the present incident, wherein Vikas Sehrawat was seen removing garbage from the drain with the help of a shovel. It is further contended that Vikas Sehrawat was again joined in investigation after issuance of notice under Section 41-A Cr.P.C. and he suffered a disclosure statement admitting his guilt. The State further submits that during investigation, preliminary departmental inquiry records were obtained, wherein Vikas Sehrawat had earlier admitted removal of the hard disk owing to a quarrel with a lady customer and had stated that the petitioner had no role in the incident. However, during subsequent questioning, Vikas Sehrawat alleged that the earlier confession letter was written under pressure from the petitioner. It is further submitted that specimen signatures and handwriting of Vikas Sehrawat were obtained before the Illaqa Magistrate and sent for FSL comparison with his earlier statements recorded during departmental inquiry.

5. Learned State counsel further submits that the petitioner was present at the place of occurrence as well as at the time of alleged search/recovery of the hard disk from the drain and that the original hard disk was produced by the petitioner from his possession and taken into police possession vide recovery memo. It is contended that, after conducting



further investigation, Sections 380 and 454 IPC were deleted and Section 381 IPC was added and it has been concluded that the petitioner along with co-accused Vikas Sehrawat committed theft of the hard disk installed in the DVR of the Post Office. It is further submitted that further investigation now stands concluded, supplementary challan is to be filed before the learned Trial Court and, therefore, the present petition deserves dismissal.

6. This Court has heard learned counsel for the parties and has gone through the record of the case with their able assistance.

7. Before advertng to the merits of the controversy, it would be apposite to notice the scope of powers exercisable by this Court under Section 482 Cr.P.C. The inherent jurisdiction under Section 482 Cr.P.C. is to be exercised sparingly, carefully and with great caution only to prevent abuse of the process of law or to secure the ends of justice. At the stage of considering a petition for quashing of FIR or criminal proceedings, this Court is not required to meticulously appreciate the evidence or conduct a mini trial. The only aspect required to be seen is as to whether a *prima facie* case is made out from the material collected during investigation and whether continuation of proceedings would amount to abuse of the process of law.

8. The principal contention raised on behalf of the petitioner is that he has been falsely implicated in the present case and that the actual culprit is co-accused Vikas Sehrawat, who had allegedly admitted his guilt during departmental inquiry as well as in his earlier statements and confession letter. It has also been argued that Vikas Sehrawat had got the hard disk



recovered from the drain and that the petitioner has been made a scapegoat by the department and the police authorities.

9. However, this Court is of the considered view that the aforesaid submissions raised by learned counsel for the petitioner involve disputed questions of fact which cannot be conclusively adjudicated upon while exercising jurisdiction under Section 482 Cr.P.C. The record reveals that during investigation, statements of employees of the Post Office, including Chowkidar Chetram and sweeper Karan, were recorded, wherein allegations were levelled against the petitioner regarding tampering with the CCTV box. The material further reveals that the petitioner had joined investigation and the hard disk was allegedly recovered pursuant to his disclosure statement. During further investigation conducted under the supervision of the Commissioner of Police, CCTV footage retrieved from DITAC Gurugram was analysed, wherein the presence of the petitioner as well as co-accused Vikas Sehrawat at the relevant time and place was noticed. The data retrieved from the petitioner's mobile phone also allegedly contained photographs and video clips pertaining to the incident in question. Furthermore, the investigating agency has also collected material during further investigation suggesting involvement of both the petitioner and co-accused Vikas Sehrawat in the theft of the hard disk from the DVR installed in the Post Office.

10. Merely because the co-accused Vikas Sehrawat had at one stage allegedly admitted his involvement or had made statements exonerating the petitioner, would not ipso facto entitle the petitioner to the extraordinary relief of quashing, particularly when there is other material collected during



investigation connecting the petitioner with the occurrence. The evidentiary value, admissibility and reliability of the statements, disclosure statements, CCTV footage, mobile phone data, departmental inquiry proceedings and other material collected by the prosecution are matters which can only be tested during the course of trial after the parties lead their respective evidence.

11. This Court cannot enter into disputed factual issues or appreciate the probative value of the evidence while exercising jurisdiction under Section 482 Cr.P.C. The defence sought to be raised by the petitioner and the plea regarding false implication are matters which are required to be established before the learned Trial Court by leading cogent evidence.

12. At this stage, this Court finds that the material collected during investigation discloses a *prima facie* case against the petitioner and, therefore, no ground is made out for interference in exercise of inherent jurisdiction under Section 482 Cr.P.C.

13. Consequently, finding no merit in the present petition, the same is hereby dismissed.

14. All pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

29.05.2026

Anu

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No