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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRR-1577-2026

Decided on :03.07.2026

Harjit Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sarabjit Singh, Advocate for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)**(Pre-lunch Session – Matter taken up at about 11:30 a.m.)**

1. Present revision petition has been filed against the impugned order dated **03.04.2026** passed by the learned Additional Sessions Judge, Amritsar, whereby the application filed by the petitioner seeking directions to the concerned Nodal Officers to preserve the Call Detail Records (CDRs), along with the tower location details, of Mobile No. **8544912387** belonging to **Harjit Singh** and Mobile No. **8054847339** belonging to **Gurdev Singh @ Sonu (deceased)**, has been dismissed.

2. Learned counsel for the petitioner submits that the prosecution has not yet commenced the examination of its witnesses. It is further contended that if the petitioner is compelled, at this stage, to disclose the purpose for seeking preservation of the aforesaid call details, as observed by the learned trial Court while dismissing the application, it would seriously prejudice the petitioner's right to a fair defence, as his

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defence strategy would stand disclosed prematurely. Learned counsel further submits that, in terms of the applicable regulations, the Call Detail Records can ordinarily be preserved and made available only within a period of two years, whereafter the same may no longer be retrievable. Since the said period is due to expire on **06.07.2026**, petitioner's request requires urgent consideration at this stage.

3. Notice of motion.

4. Mr. Vinay Malhotra, Deputy Advocate General, Punjab, appears on behalf of the respondent-State and seeks time to prepare and address his arguments.

5. In the meanwhile, considering the urgency of the matter, the concerned authority of the State of Punjab shall forthwith issue necessary directions to the concerned Department of Telecommunications/service providers to preserve the Call Detail Records, along with the tower location details, pertaining to Mobile No. **8544912387** belonging to **Harjit Singh** and Mobile No. **8054847339** belonging to **Gurdev Singh @ Sonu (deceased)** from **01.07.2024 to 31.07.2024**.

The aforesaid exercise shall be undertaken without any delay, particularly in view of the fact that the learned trial Court consumed nearly six months in deciding an application involving a limited issue, and the statutory/operational retention period of two years is also expiring on **06.07.2026**.

6. Since learned State counsel has sought time to prepare the matter and address arguments, as the retention period for the aforesaid

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Call Detail Records is due to expire on **06.07.2026**, i.e., the coming Monday, this Court is of the considered view that the petition should not remain pending any longer, especially when valuable time has already been lost on account of the delay in disposal of the application by the learned trial Court.

7. Accordingly, present revision petition be taken up again in the second session of the day.

(SANJAY VASHISTH)
JUDGE

July 03, 2026
Rashmi

(Post-lunch Session – Matter taken up at 2:20 p.m.)

8. Again, petition is taken up for hearing at about 2:20 p.m. Mr. Malhotra, learned Deputy Advocate General, Punjab, submits that, as per the instructions received by him during the lunch session, a cross-version had, in fact, been presented by the accused party before the Director General of Police, Punjab. Pursuant thereto, an enquiry was entrusted to Deputy Superintendent of Police Baljit Singh, who, during the course of the enquiry, collected the call detail records (CDRs) of both the afore-mentioned phone numbers along with their location details.

9. In view of the above, present petition is disposed of with the aforesaid observations by making it clear that, in case the call detail records preserved by DSP Baljit Singh pursuant to the complaint moved by the petitioner party are available, the exercise directed in the earlier part of this order need not be undertaken.

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10. However, it shall be open to the petitioner party to seek production of the said call detail records at the appropriate stage of the trial, as and when permissible in accordance with law.

11. With the aforesaid observations, the present petition stands disposed of. Consequently, the impugned order dated 03.04.2026 is set aside.

12. A copy of this order be forwarded forthwith to the learned Sessions Judge, Amritsar, for onward transmission to the learned trial Court for placing the same on the judicial record.

(SANJAY VASHISTH)
JUDGE

03.07.2026***Rashmi***

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*