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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 1752/2021 and Crl.M.A. Nos.5875-77/2022

CHIRAG JAIN

..... Petitioner

Through: Mr.Aditya Aggarwal and Mr.Naveen,
Advocates.

versus

STATE

..... Respondent

Through: Ms.Aashaa Tiwari, APP for the State
with ASI Shailesh Kumar, Special
Staff East District.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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05.04.2022

1. With the consent of learned counsel for parties, the matter is taken up for disposal.

2. This petition is filed with the following prayer:-

Allow the present application and may set aside the Impugned Order dated 22.07.2021 passed by Sh. Reetesh Singh, Ld. ASJ in respect of the FIR No.0094/2021 was registered at P.S. Kalyanpuri under Section 20/25/29 NDPS ACT, 1985 registered on 18.03.2021 whereby Ld. Trial Court had declined to provide the call location details of the Petitioner and the Reading Team members including the IO of Dated 18.03.2021 from time 08:00 am to 12:00 PM / mid-night.

3. Admittedly, this petition is filed since an application of the petitioner under Section 91 Cr P C for direction to the Investigating Officer to preserve and provide the mobile location chart record of the petitioner as also the members of the raiding team, which apprehended the petitioner, was rejected by the learned Trial Court by the impugned order dated 22.07.2021.

4. The learned counsel for the petitioner submits he needs only the location chart of the above persons for the period between 08.00AM to

12.00 midnight of 18.03.2021. Though, such an application for preservation of the CDR has been rejected by this Court in *Puneet Arora vs State GNCT of Delhi* in CrI. Rev. P. No.327/2020, but the learned counsel for petitioner submits in *Puneet Arora* the proposition as to if the mobile location chat of the raiding team member and that of accused can be preserved and supplied to the accused, was never considered.

5. The learned APP for the State fairly concedes the mobile location chart of the raiding team members and petitioner herein, without disclosing their mobile numbers, can be provided to the petitioner after obtaining it from the service provider. Be provided by the State to the petitioner for the time duration and date as mentioned above within four weeks from today. Needless to say, CDR and other details be sufficiently safeguarded prior to supply of the information to the petitioner.

6. In view of above, the petition stands disposed of. Pending application, if any, also stands disposed of.

7. The earlier date fixed stands cancelled.

YOGESH KHANNA, J.

APRIL 05, 2022

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