

20.06.2020

Present : Ld. APP Sh. Lalit Pingolia in person.
Advocate Sh. Ravi Drall for accused/applicant Harish Kumar Jarwal.
Insp. Kamal Kishore in person.

Due to spreading of Corona Virus (COVID-19), special measures taken by the Government to prevent it by ordering a nationwide lockdown, the hearing of the urgent matter has been conducted through Video Conference using CISCO WEBEX app after taking consent of both the parties, in terms of directions issued by the Ld. District and Sessions Judge, Rouse Avenue District Courts.

Report of the DCP has been received.

As per the report, CCTV cameras at the police station Neb Sarai have now become functional after repair made by the technical team of CCTV agency.

Ld. Counsel for the accused/applicant has made the submission that in the report the complaint about the non functioning of the CCTV cameras is stated to have been given by the police on 06.02.2020, however, no dispatch number or diary number has been mentioned which raises doubt on the part of the police so a further report be called from the DCP concerned which should mention the complete details of the complaint given on 06.02.2020 qua the non functioning of the CCTV camera.

In view of the submissions made by the Ld. Counsel for the accused/applicant, DCP concerned is directed to file another report which should include the details of the diary number or dispatch number reflecting that actual complaint for non functioning of CCTV cameras was made by PS Neb Sarai on 06.02.2020. It is further asked to apprise this court as to what response was received from CCTV agency after receiving the complaint on 06.02.2020 till the commencement of lockdown on 23.03.2020. Report be filed on NDOH positively.

It is further submitted that there is no permanent building for functioning of PS Tigri, hence, the CCTV cameras installed do not have recording facility.

The court is unable to understand the purpose of installing the CCTV cameras where no recording facility is available. The entire purpose of the installation of CCTV cameras seems to have been defeated/frustrated if one could not have the recording to ascertain the happening of the events on particular date or time. An explanation be called from the DCP concerned in this regard also to be filed on NDOH.

Further the report has been received from the IO that CCTV footage of 26.05.2020 for the time duration from 02.00 PM to 05.30 PM has been preserved. Ld. Counsel submitted that the same should have been preserved from 12.30 PM to 05.30 PM.

In view of the submissions made and the record perused, IO is directed to ensure the preserving of video footage from PS Malviya Nagar from 12.00 noon to 06.00 PM for 26.05.2020.

Now to come up for hearing through video conferencing on 29.06.2020 at 12.00 noon.

[Vishal Pahuja]

ACMM-01/RADC/ND/20.06.2020