

**IN THE HON'BLE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.**

CWP No. 19086 of 2017

Ravinder Singh Dhull

.....PETITIONER

VERSUS

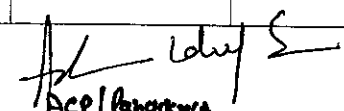
State of Haryana & Others

.....RESPONDENTS

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Place: Panchkula  
Dated: 07.08.2018

  
for Commissioner of Police,  
Panchkula.

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State of Haryana & Others

.....RESPONDENTS

Status Report by way of affidavit of Charu Bali, IPS, Commissioner of Police, Panchkula on behalf of Additional Director General of Police, Crime, Haryana, the head of Special Investigation Team.

**RESPECTFULLY SHOWETH:**

I, the above named deponent do hereby solemnly affirm and declare as under:-

1. That the deponent is filling this Status Report by way of affidavit on the basis of office record.
2. That it is submitted that the above captioned case was fixed for hearing on 25.05.2018 and this Hon'ble Court was pleased to take on record the Status Report dated 24.05.2018 filed by Sh. P. K. Agrawal, IPS, Addl. Director General of Police, Crime, Haryana as head of Special Investigation Team, hereinafter referred as SIT. The Status Report was filed in compliance of directions issued by this Hon'ble Court vide order dated 04.04.2018. Present Status Report is being filed in furtherance of the report submitted before this Hon'ble Court on the last date of hearing.

3. That it is submitted that directions have been issued regularly by the head of the SIT to the members to make sincere and stringent efforts to apprehend the remaining accused and conclude the investigation of cases related to the incidents of violence and arson in the aftermath of the pronouncement of judgment against Gurmit Ram Rahim Singh by Ld. CBI Court at Panchkula on 25.08.2017. The Superintendents of Police and DCP, concerned were asked to send their reports by way of affidavit through respective Range Addl. Director General/Inspectors General of Police and Commissioner of Police. The reports submitted by the members of the SIT have been examined and compiled. The consolidated Status Report is submitted in the following paras for kind consideration of this Hon'ble Court.
4. That it is submitted that total 240 cases have been registered throughout the State of Haryana in connection with the incidents of violence, arson and destruction of public and private property by the followers of Dera Sacha Sauda in the aftermath of pronouncement of judgment by Ld. CBI Court against Gurmit Ram Rahim Singh on 25.08.2017. Challans have been presented against the accused in the Courts of Jurisdictional Magistrates in 207 cases. During investigation of all these cases as many as 1483 persons have been arrested by the SIT so far . Since some of these persons have been arrested in more than one case, hence, total number of arrests are 2603. Twelve (12) accused have been arrested since last date of hearing i.e. 25.05.2018 by the SIT out of which two accused

namely Gulab @ Gulabmal and Naveen @ Gobhi Ram were carrying reward of Rs. 50,000/-.

It is further submitted that 12 accused have been declared Proclaimed Offenders by the Jurisdictional Magistrates, concerned. Proceedings have also been initiated for attachment of properties of these Proclaimed Offenders. Also, proceedings to declare some more accused as Proclaimed Offender are going on before the concerned courts. It shall be apposite to mention here that Special Task Force constituted in the State of Haryana to nab the most wanted criminals has also been directed to provide assistance to arrest remaining accused in these cases.

5. That it is submitted that details regarding conspiracy hatched by the core group of Dera activist pre or post 25.08.2017 have already been given in the Status Reports filed earlier before this Hon'ble Court. The lead case bearing FIR No. 345 dated 27.08.2017 u/s 145/146/150/151/152/153/216/121/121-A/120B IPC was registered in Police Station, Sector-5, Panchkula in which the SIT is conducting investigation with regard to conspiracy hatched by the key functionaries of DSS leading to the incidents of violence and arson which took place on 25.08.2017 in Panchkula and other parts of the State. During the investigation of this case as many as 39 accused have been arrested so far by the SIT. Challan/ supplementary Challans have been presented in the Court of Learned Jurisdictional Magistrate against 33 accused so far. 10 accused are still evading arrest in this case and SIT is making all

out efforts to apprehend these accused. Non-bailable arrest warrants have been obtained from the Jurisdictional Magistrate against these 10 accused. 3 more accused namely Gulab @ Gulabmal, Pargat Singh and Naveen @ Gobhi Ram have been arrested by the SIT in this case since the last dated of hearing i.e. 25.05.2018, out of which two accused namely Gulab @ Gulabmal and Naveen @ Gobhi Ram were carrying reward of Rs. 50,000/-. One of the prime accused in this case namely Aditya Insan has already been declared Proclaimed Offender on 21.05.2018 and proceedings regarding attachment of his property have been initiated. Details regarding properties in the name of accused Aditya Insan are being obtained. It is pertinent to mention here that a reward of Rs. Five Lakhs (5,00,000/-) has already been announced for providing whereabouts and any information regarding accused Aditya Insan.

6. That it is submitted that 25 persons were reported to be missing from DSS, the details, thereof, have already been submitted before this Hon'ble Court in the Status Reports filed earlier. Out of these, 8 persons have been traced out by the SIT so far. Earnest efforts are being made by the SIT to trace out the remaining 17 missing persons. A comprehensive report of the efforts made by the SIT to trace out the remaining missing persons has been submitted before this Hon'ble Court with the Status report dated 04.04.2018. Apart from the efforts explained in the previous Status Report filed

before this Hon'ble Court, the following efforts have been made by the SIT :-

- i) Statements of family members of the missing persons have been recorded and duly video graphed.
- ii) The Anti Human Trafficking Unit of State Crime Branch, Hisar and Proclaimed Offender (P.O.) Staff of State crime Branch, Jind have been attached to assist the SIT for tracing out the remaining missing persons.
- iii) Posters in Hindi and English languages containing details regarding all the 17 missing persons have been printed and sent to the Directors General of Police/ Inspectors General of Police/ Commissioners of Police of all States and Union Territories of India vide this office memo. No. 2935-70/R/ADGP/Crime dated 27.06.2018 for assistance in tracing out these missing persons. True copy of the same is annexed as **Annexure R-1** for kind perusal of this Hon'ble Court.
- iv) Further, in order to find any clue/information about the missing persons the SIT has obtained detail of patients admitted in Allopathic IPD and Ayurvedic IPD have been obtained from CMO, Shah Satnam Super Specialty Hospital, Dera Sacha Sauda, Sirsa, during the year 2015-18 which are being scrutinized. However, record prior to 2015 is being obtained from this Hospital.
- v) Teams have been constituted for the search of missing persons at Nam Charcha Ghar, Gurudwaras, Religious

Places, Shelter Homes, Dharamshalas etc. within and outside the state. These teams have visited several places of Haryana, Punjab and Delhi, NCR area, Uttar Pradesh and Uttarakhand. The records of police stations of concerned places have been scrutinized and posters containing the details of missing persons have been affixed in these areas.

For obtaining any clue or information about these 17 missing persons, State police has also announced rewards of Rs Fifty Thousand (50,000/-) each. It is further submitted that as per report received from the SIT constituted for this purpose, no evidence/incriminating material regarding involvement of functionaries of Dera Sacha Sauda in disappearance of missing persons has come so far.

7. That it is submitted that SIT is making sincere efforts to find any clue regarding movement of assets from Dera Sacha Sauda, Sirsa. As stated in Status Reports filed earlier, 65 damaged hard disks of the DVRs of the CCTVs of the Dera premises were recovered on the instance of accused Vineet Kumar during the course of investigation of case FIR No. 696/17 PS city Sirsa. All efforts were made through different specialized agencies including CBI, for the retrieval of the data but those hard disks were badly damaged, hence, nothing can be retrieved from them. Some more electronic data storage devices were also recovered by SIT, which are being analyzed by DITEC Gurugram and the retrieved data will

be received shortly. The data will be analyzed to get any lead regarding movement of assets from DSS.


8. That it is submitted that some clue in this regard from the material seized by the court commissioner may come out, but after rejection of our request to de-seal these articles by the Illaqa Magistrate vide order dated 20.03.2018, the revision petition filed against the order of Illaqa Magistrate has also been dismissed by the Ld. court of ASJ, Sirsa on dated 11.05.2018. Copies of the order of ACJM, Sirsa dated 20.03.2018 and order of ASJ, Sirsa dated 11.05.2018 are annexed as **Annexure R-2 and R-3** respectively. Appropriate legal course is being availed/adopted by the SIT in this regard by challenging impugned orders passed by Ld. lower Courts before this Hon'ble Court.
9. That it is further submitted that the application filed by the SIT seeking custody of Balraj Singh in case FIR No. 696/17 u/s 147/148/149/307/124A/435/436/332/353/186/201/109/120-B IPC , 3/4 PDPP Act and 25/54/59 Arms Act, Police Station City Sirsa, in order to ascertain movement of any moveable asset from Dera premises, was rejected by the Illaqa Magistrate and a revision petition in this regard has also been dismissed by the Ld. court of ASJ Sirsa on dated 23.04.2018. It is pertinent to mention here that name of Balraj Singh was disclosed by Vinit, IT head of DSS in his disclosure statement. Appropriate legal course is being availed/adopted by the SIT in this regard by challenging impugned orders passed by Ld. Lower Courts before this Hon'ble Court.



10. That it is submitted that SIT is conducting thorough and fair investigation in all the cases and also making sincere efforts to arrest remaining accused persons so that investigation in the remaining cases may be concluded at the earliest.

PLACE: PANCHKULA

DATED: 07.08.2018


  
DEPONENT  
Charu Bali, IPS,  
Commissioner of Police,  
Panchkula

**VERIFICATION:-**

Verified that the contents of para No.1 to 10 of the status report by way of affidavit are true and correct to my knowledge based on information derived from official record which are believed to be correct. No part of it is false and nothing has been concealed therein.

PLACE: PANCHKULA

DATED: 07.08.2018

  
DEPONENT  
Charu Bali, IPS,  
Commissioner of Police,  
Panchkula



## Annexure R-1

From

Director General of Police,  
Haryana, Panchkula.

To

The Director Generals/Commissioners/Inspector Generals of Police,  
All States and Union Territories in India.

No.

2935-70/R/ADGP/Crime dated, Panchkula the, 27-06-2018

Subject:

**CWP No. 19086 of 2017 filed by Ravinder Singh Dhull Vs. State of Haryana and others- Assistance in the search of 17 persons missing from Dera Sacha Sauda (DSS), Sirsa, Haryana.**

Memo.

Please refer to the above subject.

The above mentioned Civil Writ Petition is pending before Hon'ble Punjab and Haryana High Court, Chandigarh since August, 2017 and the same is fixed for hearing on 08.08.2018. During the course of hearing on 27.09.2017, it has been alleged that 25 persons are missing from Dera Sacha Sauda, Sirsa. In compliance of the orders of Hon'ble High Court dated 27.09.2017, a Special Investigation Team (SIT) headed by the Addl. Director General of Police, Crime, Haryana has been constituted for the search of these missing persons. Out of 25 missing persons, 8 persons have been traced out by the SIT so far. Sincere efforts are being made to trace out the remaining missing persons but despite sustained efforts, 17 persons are yet to be traced out.

Posters/Pamphlets with complete details of the above said missing persons have been prepared and are enclosed. It is requested that the field units under your jurisdiction may please be directed to provide assistance to the SIT in order to search the remaining 17 missing persons. Any relevant information in this regard may please be intimated immediately to this office.

**Encl: As above.**

*True Copy*

*Jeeve*

-sd-  
ADGP/Crime  
for Director General of Police,  
Haryana, Panchkula.

# गुमशुदा

1. सर्व साधारण को सुचित किया जाता है कि सोनु (टेकचन्द) सुपुत्र श्री ज्वाला प्रसाद जाति लोधी राजपूत निवासी 1888 छप्पर बन्द मौहल्ला अम्बाला छावनी दिनांक 29.12.2012 से डेरा सच्चा सौदा सिरसा से लापता है हुलिया इस प्रकार से है रंग गेहुआ, गोल चेहरा, पतला फुर्तिला शरीर, कद 5 फुट 2 इन्च, उम्र 35 साल है जिस बारे रपट न. 27 दिनांक 27.06.2013 थाना अम्बाला कैंट दर्ज रजिस्टर है व मु. न. 346 दिनांक 08.09.2014 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है। श्रीमती नीलम रानी मो. नं. - 99966-33542

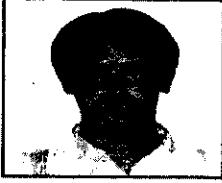
It is informed to general public that Sonu (Tek Chand) S/o Sh. Jawala Parsad, Caste Lodhi Rajput resident of H.No. 1888, Chhappar Band Mohalla Ambala Cantt. (Haryana) is missing from Dera Sacha Sauda Sirsa on dated 29.12.2012. In this regard, a DDR No. 27 dated 26.078.2013 has been recorded at Police Station Ambala Cantt. Apart above, a case FIR No. 346 dated 08.09.2014 u/s 346 IPC has also been registered at Police Station Sadar Sirsa on the complaint of Smt. Neelam Rani- Mobile No. 99966-33542. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'2"
4. Age about 35 Years at the time missing

2. सर्व साधारण को सुचित किया जाता है कि बिट्टू सुपुत्र श्री नायब जाति जट सिख बासी रिवालो थाना सदर अम्बाला दिनांक 25.01.2012 से डेरा सच्चा सौदा सिरसा से लापता है हुलिया इस प्रकार से है रंग गोरा, गोल चेहरा, कद 5 फुट 6 इन्च, उम्र 24 साल है जिस बारे रपट न. 11 दिनांक 27.02.2012 थाना सदर सिरसा दर्ज रजिस्टर है व मु. न. 212 दिनांक 07.11.2017 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है। साहिब कौर निवासी रिवालो मो.- 98130-52379

It is informed to general public that Bitttu S/o Sh. Nayab Singh, Caste Jat Sikh resident of Rivalo PS Sadar Ambala Distt Ambala (Haryana) is missing from Dera Sacha Sauda Sirsa on 25.01.2012 In this regard, a DDR No. 11 dated 27.02.2012 has been recorded at Police Station Sadar Sirsa. Apart above, a case FIR No. 212 dated 07.11.2017 u/s 346 IPC has also been registered at Police Station Sadar Sirsa on the complaint of Smt. Sahib Kaur- Mobile No. 9813052379. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Fair
2. Face- Round
3. Height- 5'6"
4. Age about 24 Years at the time missing

3. सर्व साधारण को सुचित किया जाता है कि ज्ञान चन्द सुपुत्र श्री सरूप जाति चमार बासी रसुलपुर थाना बिलासपुर जिला यमुनानगर दिनांक 25.01.2012 से डेरा सच्चा सौदा सिरसा से लापता है हुलिया इस प्रकार से है रंग गेहुआ गोल चेहरा, कद 5 फुट 6 इन्च, उम्र 50 साल है जिस बारे रपट न. 29 दिनांक 28.01.2012 थाना सदर सिरसा दर्ज रजिस्टर है व मु. न. 211 दिनांक 07.11.2017 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है। सुशील कुमार मो. नं. :- 99963-54784

It is informed to general public that Gyan Chand S/o Sh. Sawrup ram, Caste SC resident of Rasualpur PS Bilaspur Distt Yumna Nagar (Haryana) is missing from Dera Sacha Sauda Sirsa on 25.01.2012 In this regard, a DDR No. 29 dated 28.01.2012 has been recorded at Police Station Sadar Sirsa. Apart above, a case FIR No. 211 dated 07.11.2017 u/s 346 IPC has also been registered at Police Station Sadar Sirsa on the complaint of Sh Sushil Kumar - Mobile No. 99963-54784. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'6"
4. Age about 50 Years at the time missing

4. सर्व साधारण को सुचित किया जाता है कि बलवन्त सिंह सुपुत्र श्री बदलू राम जाति ओड निवासी खुराना रोड बाई पास वार्ड न. 4 OSDAV कालोनी, कैथल दिनांक जनवरी 2017 से डेरा सच्चा सौदा सिरसा से लापता है हुलिया इस प्रकार से है रंग सावला, गोल चेहरा, हृष्ट पुष्ट व फुर्तिला मोटा शरीर कद 5 फुट 7 इन्च उम्र 36 साल है जिस बारे मु. न. 172 दिनांक 25.03.2018 धारा 346 पब थाना शहर कैथल दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है। श्रीमती ज्ञानो मो. नं. : 97298-98294

It is informed to general public that Balwant Singh S/o Sh. Badlu ram Caste Odd resident of Khurana Raod Bypass Ward No. 4 OSDAV Colony Kaithal (Haryana) is missing from Dera Sacha Sauda Sirsa on January 2017 In this regard case FIR No. 172 dated 25.03.2018 u/s 346 IPC City Kaithal on the complaint of Smt. Gyano - Mobile No. 97298-98294. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'7"
4. Age about 36 Years at the time missing

5. सर्व साधारण को सुचित किया जाता है कि प्यौदा रोड गली न. 5 कैथल दिनांक 28.10.2014 सफाई अभियान से लापता है हुलिया इस उम्र 50 साल है जिस मु. न. 104 दिनांक रजिस्टर है जिसका अभी तक कोई सुराग

It is informed to general public that Caste SC resident of New Pau (Haryana) is missing from Dera Sacha Sauda Sirsa on dated 28.10.2014 In this regard case FIR No. 104 dated 08.09.2014 u/s 346 IPC has also been registered at Police Station Sadar Sirsa on the complaint of Smt. Neelam Rani- Mobile No. 99966-33542. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'2"
4. Age about 50 Years at the time missing

6. सर्व साधारण को सुचित किया जाता है कि गुरुदेव बासी मुरतफाबाद थाना छप्पर जिला यमुनानगर 0 प्रकाश से है रंग सावला, लम्बूरा चेहरा बाएँ है जिस मु. न. 294 दिनांक 08.04.2014 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है। गुरुदेव बासी

It is informed to general public that Gurudev, Caste Gadiya resident of Murtaphabad Thana Chhappar Jilla Yumnaganar (Haryana) is missing from Dera Sacha Sauda Sirsa on 08.04.2014 In this regard case FIR No. 294 dated 08.04.2014 u/s 346 IPC has also been registered at Police Station Sadar Sirsa on the complaint of Smt. Neelam Rani- Mobile No. 99966-33542. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'2"
4. Age about 35 Years at the time missing

7. सर्व साधारण को सुचित किया जाता है कि जेल तौड सैक्टर न. 1 अम्बाला शहर दिनांक 05.02.2010 हुलिया इस प्रकार से है रंग सावला, गोल चेहरा, कद 5 फुट 6 इन्च, उम्र 45 साल है जिस बारे रपट न. 36 दिनांक 05.02.2010 रजिस्टर है व मु. न. 36 दिनांक 05.02.2010 जिसका अभी तक कोई सुराग नहीं चला है।

It is informed to general public that Kumar, Caste Mahajan resident of Jail Taud Sector No. 1 Ambala City (Haryana) is missing from Dera Sacha Sauda Sirsa on 05.02.2010 In this regard case FIR No. 36 dated 05.02.2010 has been recorded at Police Station Bal Ritu Aggerwal - Mobile No. 99963-54784. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'2"
4. Age about 45 Years at the time missing

8. सर्व साधारण को सुचित किया जाता है कि बासी कुलरिया थाना वारेटा जिला मानसा दिनांक 07.11.2017 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिस बारे रपट न. 213 दिनांक 07.11.2017 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है। मनजीत सिंह

It is informed to general public that Manjot Singh, Caste Ramdasiya resident of Basri Kulariya Thana Varetta Jilla Mansa (Haryana) is missing from Dera Sacha Sauda Sirsa on 07.11.2017 In this regard case FIR No. 213 dated 07.11.2017 has been recorded at Police Station Sadar Sirsa on the complaint of Smt. Neelam Rani- Mobile No. 99966-33542. There is no clue about his whereabouts. Particulars of the missing person are as under:-



1. Complexion- Whitish
2. Face- Round
3. Height- 5'2"
4. Age about 32 Years at the time missing

9. सर्व साधारण को सुचित किया जाता है कि निवासी वार्ड न. 13 आजाद नगर, टोहाना दिनांक 12.06.2013 हुलिया इस प्रकार से है रंग गेहुआ कद 5 फुट 7 इन्च उम्र 32 साल है जिस बारे रपट न. 13 दिनांक 12.06.2013 धारा 346 IPC थाना सदर सिरसा दर्ज रजिस्टर है जिसका अभी तक कोई सुराग नहीं चला है।

Photostat certified copy of order dt. 20-3-18 passed by -

the Court of Sh./Smt. V. Jay James A. J.M., SIRS  
Sirsā, in the case noted below :

Annexure R-2

CIS No. : —

Case No. : 1156

Date of Intt. :

Decided on/Pending For : 20-03-2018

State Vs. Minnit Kumari s/o Subhash caste Aross B-15-B Sirsā.

Colony Faridabad PS DIT-3 Paridobad, no. Dera Sacha Sacha Dist.

2. Gola Masi C. Manpreet Kaur wife Jarn Singh A caste Jot Singh A. Ho Jandiala  
to Matili A. B. G. I. Kalyan Nagar Sirsā.

3. Vikram s/o Dinesh Rami C. caste Jot Singh. Subhash Nagar Colony Sirsā.

4. Surjeet Singh s/o Richh Pal Singh. Jot Singh. Ho Jarn Singh Ditta Ladhiana, Sirsā  
at Dera Sacha Sacha Dist.

5. Gurdeep s/o Sukhmal Singh. D. S. to Road A. B. D. Sirsā. No. B. P. P. Nagar  
Dera Sacha Sacha Dist.

6. Parveen s/o Om Parkash. Ho Jandiala Teh Pili Banga. PS. Golewale. Sirsā  
Himamangal. No. 4. 8. Utkar Colony Sirsā.

F.I.R. No. 147 Dated 26-8-2017

U.S. 115/1159/109/R-2/180/188/333/333/355/  
124A/307/395/R-  
PS 3, 4 CIVIL REPPA  
S.P. Act

PS Sadan Sirsā

P.T.O.



ATTESTED

d.o.c.

Civil Judge (Sr. Divn)

SIRSā

20-3-18

FIR No. 147 dated 26.8.2017 P.S.Sadar Sirsa

Present: Sh.Amit Mehta,APP for the State assisted by Inspector Vinod Kumar.

Heard on application moved by SHO P.S.Sadar Sirsa for desealing of DVRs.

2. It is averred in the application that after the conviction of head of Dera Sacha Sauda Sirsa, riots broke out in different parts of State of Haryana, Punjab and Delhi and several cases have been registered in this regard. Taking into account the situation at that time, the Hon'ble High Court (P & H) had appointed a commission with directions to conduct a search within the premises of Dera Sacha Sauda situated at Sirsa. During the search operation carried out by the commission, some DVRs and digital data/equipment were recovered from the CCTV Camera control room situated in the premises of Dera Sacha Sauda Sirsa vide recovery memo dated 8.9.2017. All the material seized during the operation has been duly sealed under the close supervision of the commission appointed by Hon'ble High Court.

3. It has also been averred that the FIR bearing no.147 dated 26.8.2017 was registered in P.S.Sadar Sirsa against the persons involved in the burning of Power House of Village Begu District Sirsa. One person namely Vineet was incharge of the control room of CCTV cameras installed in Dera Sacha Sauda Sirsa. The said accused has been arrested on 4.3.2018 and was sent for 5 days police remand on the orders of the court. During investigation, accused Vineet suffered a disclosure statement in which he stated that on 26.8.2017, he had broken some DVRs/hard disks, which were placed in the CCTV camera control room and had replaced them with new hard disks. As per his disclosure statement, there is every possibility of availability of the recording/footages of movement of visitors and

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files after 25.8.2017 in those DVRs/hard disks. In all probability, the DVRs mentioned in the recovery memo dated 8.9.2017 are the same, which have been disclosed by Vineet in this disclosure statement.

4. It has further been averred that the Hon'ble High Court in CWP No.19086 of 2017 had directed the investigation agency to trace out the movement of cash or other valuable articles which might have been moved out of the Dera premises before the search operation was carried out by the commission duly appointed by Hon'ble High Court. There is a high probability that the movement of cash or other valuable articles can be traced if some footage from these above mentioned DVRs can be retrieved. For the proper just and complete investigation of the aforesaid case FIR no.147 dated 26.8.2017 and in compliance of the orders of the Hon'ble Court in CWP No.19086 of 2017 a detailed analysis of this digital data is absolutely necessary. There is every possibility of availability of material evidence relating to the above said case in the aforesaid DVRs and other digital data/equipment. The aforesaid DVRs and other digital data/equipment are presently deposited in the Malkhana of Police Station Sadar Sirsa and have been duly sealed under the close supervision of the Court Commissioner. In the end it has been prayed that the DVRs and other digital data/equipment mentioned in the recovery memo may kindly be ordered to be descaled and released in favour of local police so that the local police in the aforesaid case may be in a position to inspect and examine the same and send them for a detail digital analysis.

5. After hearing learned APP for the State and having gone through the application, it is not disputed that FIR bearing no.147 dated 26.8.2017 P.S.Sadar Sirsa was registered with

ATTESTED  
C.C.C.  
Civil Judge (Sr. Divn)  
SIRSA  
20-8-18

17-8

respect to damage caused to power house of village Begu, District Sirsa after the pronouncement of judgment against head of Dera Sacha Sauda Sirsa. Further the accused Vineet is already in judicial custody and nothing is to be recovered at the instance of said accused at this stage. Further, it is not the case of prosecution that the said power house was situated inside the premises of Dera Sacha Sauda Sirsa. Moreover, it is also not the case of prosecution that any direction has been issued by Hon'ble High Court (P & H) to investigating officer of the present case FIR bearing no.147/17 P.S.Sadar Sirsa to analysis the digital data lying deposited in the Malkhana of P.S.Sadar Sirsa having been duly sealed under the supervision of the court commissioner appointed by Hon'ble High Court. Further nothing could be brought on file as to how the aforesaid digital data would help in investigation of the FIR bearing no.147/17 P.S.Sadar Sirsa. The aforesaid digital data/equipment is not the case property of the FIR bearing no.147/17 P.S.Sadar Sirsa.

6. Though it has been mentioned in the application that a detail analysis of the digital data aforesaid is necessary in compliance of orders of Hon'ble High Court in CWP No.19086 of 2017, however the prosecution has not bothered to even place on record the copy of said order. Further, the plea of prosecution that there is high probability that the movement of cash or other valuable articles can be traced out if some footage from above mentioned DVRs can be retrieved is also not tenable as nothing has been brought on the file as to how the same will help in any manner in the investigation of FIR bearing no.147/17 P.S.Sadar Sirsa.

7. Further in the considered opinion of this court, the aforesaid digital data/equipment have been sealed under the supervision of the commissioner appointed by Hon'ble High Court

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P & H). As stated above the aforesaid data/equipment is not the case property of FIR bearing no. 147/17 P.S.Sadar Sirsa. Hence mere fact that same are lying deposited in the Malkhana P.S.Sadar Sirsa, is no ground to move the present application before the undersigned being the Illaqa Magistrate of P.S.Sadar Sirsa.

8. In view of the above discussion, no case is made out for desecaling of the DVRs as prayed for. Resultantly, the present application being devoid of merits stands dismissed.

*[Signature]*  
(Vijay Kumar) ACJM/Sirsa  
(UID No.HR0184)

All the four pages of this order have been checked and signed by me.

*[Signature]*  
(Vijay Kumar) ACJM/Sirsa  
(UID No.HR0184)

Date of order: 20.3.2018  
Typed by: Sarita Steno



Certified to be a true Copy

*A. Kaur*  
Clerk of the Court  
Civil Judge (Sr. Divn.) Sirsa  
Authorized U/S 75 of the  
Evidence Act, 1872  
*20-3-18*

Examined by *[Signature]*

EXAMINER  
Subordinate Courts  
SIRSA  
*20-3-18*

Application No. & Date: *1879/2018*  
Name of Copyist: *A. Kaur*  
Record received on: *20-3-18*  
Copy Prepared on: *20-3-18*  
copy examined on: *20-3-18*  
No. of Pages: *5P.*  
Copying fee: *Four of 100*  
Urgent fee: *-*  
Total fee: *Four of 100*  
Date of Delivery: *20/3/18*

*Attested as Photocopy*

Copy Delivered on: *20/3/18*  
Copying Agent, SIRSA  
*[Signature]*

*[Signature]*  
Superintendent of Police  
Crime, Haryana, Panchkula



State of Haryana Vs Vineet Kumar  
(84-CRR of 2018)

In the court of J.B.Gupta, Additional Sessions Judge, Sirsa.  
(UID No.HR-0081)

CNR No. : HRSI01-002113-2018  
CIS No. : 84-CRR of 2018  
Instituted on : 03.04.2018  
Decided on : 11.05.2018

State of Haryana through Station House Officer, Police Station Sadar  
Sirsa, District Sirsa.

... Revisionist

Versus

Vineet Kumar (presently lodged in District Jail, Sirsa) and others.

... Respondents.

Revision against order dated 20.03.2018 passed by the court of Sh.Vijay James, Addl. Chief Judicial Magistrate, Sirsa in case FIR no 147 dated 26.08.2017 under sections 147,149,109,120-B, 186, 188,332,333,353,124-A, 307,395 IPC and under sections 3&4 of PDPP Act and u/s 25,54,59 of Arms Act, P.S. Sadar Sirsa titled as State Vs Vineet Kumar and others vide which the learned Addl. Chief Judicial Magistrate, had dismissed the application moved by the prosecution for de-sealing of DVRs and other digital data equipments.

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Case Argued by:-

Sh.Ramesh Arya, Public Prosecutor for revisionist-State

Sh.Sandeep Sharma Advocate for respondent no.1.

**ORDER**

The revisionist State has filed this revision petition .

State of Haryana Vs Vineet Kumar  
(84-CRR of 2018)

against order dated 20.03.2018 passed by the court of Sh.Vijay James, Addl. Chief Judicial Magistrate, Sirsa in case FIR no.147 dated 26.08.2017 under sections 147,149,109,120-B, 186, 188,332,333, 353, 124-A, 307,395 IPC and under sections 3&4 of PDPP Act and u/s 25,54,59 of Arms Act, P.S. Sadar Sirsa titled as State Vs Vineet Kumar and others vide which the learned Addl. Chief Judicial Magistrate, had dismissed the application moved by the prosecution for de-sealing of DVRs and other digital data equipments

2. In the application, the revisionist-State has submitted that after the conviction of head of Dera Sacha Sauda, Sirsa, riots broke out in different parts of State of Haryana, Punjab and Delhi and several cases had been registered in that regard. The Hon'ble High Court of Punjab and Haryana, Chandigarh while taking into account the situation had appointed a commission with the direction to conduct a search within the premises of Dera Sacha Sauda, at Sirsa. During the search-operation carried out by the Commission, some DVRs and digital data equipments were recovered from the CCTV Camera of the Dera premises vide recovery memo dated 08.09.2017. All the material seized during the operation has been duly sealed under the close supervision of the commission appointed by Hon'ble High Court. An FIR no.147 dated 26.08.2017 was registered in P.S.Sadar Sirsa against the persons involved in the burning of Power House of village Begu District Sirsa. Accused Vineet was incharge of control room of CCTV cameras installed in Dera Sacha Saudha Sirsa. The accused was arrested on 04.03.2018 and his five days' police remand was taken from the court. Accused had suffered his disclosure statement to the

effect that he had broken some DVRs hard disks which were placed in the CCTV cameras control room and had replaced them with new hard disks. As per his disclosure statement there is every possibility of availability of the recordings/footages of movement of visitors and vehicles after 25.08.2017 in those DVRs hard disks. In all possibility, the DVRs mentioned in the recovery memo dated 08.09.2017 are the same which have been disclosed by Vineet in his disclosure statement. The Hon'ble High Court in CWP no.19086 of 2017 had directed the investigating agency to trace out the movement of cash or other valuable articles which might have been moved out of the Dera premises before the search operation was carried out by the commission. There is a high probability that the movement of cash or other valuables articles can be traced if some footage from these above mentioned DVRs can be retrieved. The revisionist has further submitted that for proper investigation of this case, and in compliance of orders of Hon'ble High Court in CWP no.19086 of 2017 a detailed analysis of this digital data is absolutely necessary. There is every possibility of availability of material evidence relating to the above said case in the aforesaid DVRs and other digital data/equipment. The aforesaid DVRs and other digital data/equipment are presently deposited in the Malkhana of Police Station Sadar Sirsa and have been duly sealed under the close supervision of the court Commissioner. The revisionist has prayed that the DVRs and the other digital data/equipments mentioned in the recovery memo may kindly be ordered to be released in favour of the local police so that the police may be in a position to inspect and examine the same and send for a detail digital

analysis.

3. After hearing learned APP for the State and learned counsel for the accused, learned Addl. Chief Judicial Magistrate, vide impugned order dated 20.03.2018 had dismissed the aforesaid application of the revisionist.

4. Aggrieved by the aforesaid order, the revisionist-State filed the instant revision-petition

5. I have heard learned Public Prosecutor for the revisionist-State and learned counsel for the respondent accused and have gone through the impugned order and case file very carefully.

6. Learned Public Prosecutor for the revisionist-State has argued that the impugned order passed by the learned Addl. Chief Judicial Magistrate, Sirsa is wrong, illegal and null and void. He has further argued that the DVRs and other digital data equipments laying deposited in the Malkhana of P.S.Sadar Sisa are very necessary for completing the investigation properly. Learned Public Prosecutor has further argued that during the course of hearing in CWP No. 19086 of 2017 Hon'ble High Court of Punjab and Haryana has also considered the fact of arrest of aforesaid accused Vineet Kumar and has provided an opportunity to the State of Haryana SIT to investigate the case from all aspects. Even Hon'ble High Court has directed the SIT to re-examine all the statements and to seek further custodial interrogation of the suspects, Learned Public Prosecutor has further argued that the impugned order passed by the learned Addl. Chief Judicial Magistrate, Sirsa may kindly be set-aside and the application for de-sealing the DVRs and other digital data equipments may kindly

be allowed.

7. Learned counsel for the respondent no.1, on the other hand, has argued that there is no illegality or irregularity in the impugned order passed by the learned Addl.Chief Judicial Magistrate,Sirsa because the aforesaid articles were sealed by the Commission appointed by the Hon'ble High Court and without the permission of the Hon'ble High Court no order of de-sealing the articles could be passed by the learned Addl Chief Judicial Magistrate,Sirsa. In these circumstances, the revision-petition filed by the prosecution may kindly be dismissed.

8. I have duly considered the rival contentions of both the parties and have gone through the case file very carefully.

9. Learned Public Prosecutor for the State has fairly conceded during the course of arguments that the DVRs and other digital equipments from the CCTV cameras of control room Dera Sacha Sauda, Sirsa, were sealed by the Commissioner appointed by the Hon'ble High Court and thereafter the said articles were deposited in the Malkhana of the Police Station Sadar Sirsa. This fact was also considered by the learned Addl. Chief Judicial Magistrate, Sirsa in para no.7 of the impugned order dated 20.03.2018 and stated that in the considered opinion of this court the aforesaid digital data and equipments have been sealed under the supervision of the Commissioner appointed by the Hon'ble High Court of Punjab and Haryana.It was also observed by the learned Addl. Chief Judicial Magistrate, Sirsa that the aforesaid articles is not the case property of this case FIR no.147 of 2017.P.S.Sadar Sirsa.

10 Even in the order passed by the Hon'ble High Court in CWP No.19087 of 2017 no direction was given to the Illaqa Magistrate to de-seal the articles, which was sealed by the learned Commissioner, appointed by the Hon'ble High Court.

11 I have perused the impugned order passed by the learned Addl. Chief Judicial Magistrate, Sirsa. Keeping in view my aforesaid discussions and observations, there is no illegality or irregularity in the impugned order and there is no scope of interference of this court therein. Hence this revision-petition stands dismissed. Trial court record be sent back with a copy of this order and file of this revision be consigned to the records.

Announced in open court,

(J B Gupta),  
Addl Sessions Judge,  
Sirsa 11.05.2018  
CID-HR-0081

All the six pages of this order are duly checked and signed by me.

(J.B.Gupta),  
Addl Sessions Judge,  
Sirsa 11.05.2018

State of Haryana Vs Vineet Kumar  
(84-CRR of 2018)

Present Sh.Ramesh Arya, Public Prosecutor for revisionist-State  
Sh.Sandeep Sharma Advocate for respondent no.1.

Order pronounced. Vide separate order of even date, this revision-petition has been dismissed. Trial court record be sent back with a copy of the detailed order and file of this revision be consigned to the records

Announced in open court

(J B Gupta),  
Addl. Sessions Judge,  
Sirsa. 11.05.2018

UID-HR-0081

Witness:  
stenographer-1

*Attested as photocopy*

*[Signature]*  
Superintendent of Police  
Crime, Haryana, Panchkula