



2025:DHC:4087



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 07th May, 2026+ CRL.M.C. 5941/2023 & CRL.M.A. 22315/2023
NARCOTICS CONTROL BUREAU

.....Petitioner

Through: Mr. Arun Khatri, SSC for NCB, Ms.
Shelly Dixit and Mr. Pranavjeet Singh,
Advocates.

versus

PRAMOD KUMAR BANSAL

.....Respondent

Through: Mr. Yogesh Kr. Saxena, Ms. Priya
Saxena, Mr. Siddharth Saxena and Mr.
Sudeep Pandey, Advocates.**CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Narcotics Control Bureau (NCB) is aggrieved by order dated 19.07.2023, whereby the learned Trial Court while considering the application moved by the defence has passed the following directions:-

“Ld. counsel for applicant is asking for CDR and location of phone of accused dated 17.12.2021, therefore, NCB is directed to preserve the location & CDR of accused dated 17.12.2021 of phone number 95401xxxx. Ld. counsel for accused is not asking for CDR of Sh. Sandeep Kumar JIO, Sh. Samel C. Hanza IO and driver Virender of NCB rather he is asking only for location of mobile of these officials on 17.12.2021, therefore NCB is directed to preserve the mobile phone location of Sh. Sandeep Kumar JIO, Sh. Samel C. Hanza IO and driver Virender of 17.12.2021 of their official phone number which has been provided to NCB by the said officials. NCB is also directed to file compliance report within 15 days tor today, accordingly, application stands disposed off.”



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2. There is no dispute with respect to the preservation of the data related to *Call Detail Record* (CDR) and location of the mobile phone of the accused.

3. The apprehension of the Bureau is, merely, to the effect that since defence is seeking location of the officials of NCB, their CDRs, might be containing some sensitive and private information and, therefore, these are neither required to be preserved nor required to be shared with the defence.

4. Learned counsel for the respondent/accused submits that his only request is to preserve the data related to the location of the concerned NCB officials for the relevant time i.e. the time when the accused was, allegedly, apprehended and arrested and he does not want to look into the details of CDR for any other purpose. He states that he would be left with no grievance if these location details are preserved and kept in a sealed cover and are eventually permitted to be used in future, as and when situation so arises and in accordance with law. He places reliance upon *Suresh Kumar vs. Union of India*: 2014 SCC OnLine SC 1833.

5. Learned counsel for the petitioner/Bureau submits that he would have no objection to the above. Accordingly, present petition is disposed of with the following directions:-

i. The CDR and location data of the mobile phone number of the accused, which has already been directed to be preserved, be preserved.

ii. The CDR and the location data of the concerned NCB officials which is already stated to be preserved, would be submitted before the learned Trial Court in a sealed cover while ensuring that the numbers pertaining to incoming calls and outgoing calls are masked/blacked out. The location details be, however, presented



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as it is.

iii. Learned Trial Court would be at liberty to permit the defence to use the abovesaid data related to location, for confrontational purpose during the trial, *albeit*, in accordance with law.

6. The present petition is disposed of in aforesaid terms.
7. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

MAY 7, 2026/ss/sa