

Court No. - 10

Case :- CONTEMPT APPLICATION (CRIMINAL) No. - 9 of 2022

Applicant :- State of U.P.

Opposite Party :- Ritesh Mishra And 4 Others

Counsel for Applicant :- G.A.

Counsel for Opposite Party :- Virendra Kumar Shukla, Divyarth Singh Chauhan, Farooq Ayoob, Himanshu Suryavanshi, Lalita Prasad Misra, Rashmi Pandey

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

This Court has perused the report submitted by A.D.J.-I, Barabanki in compliance of this Court's order to preserve the CCTV footage relating to the incident that occurred in and outside court No.14. From the said report, it is evident that there were 32 CCTV cameras installed in the court campus of which 14 alone were operating and 18 had become dysfunctional. On 19th September, 2022 also such 18 cameras were dysfunctional. They were repaired but due to technical fault in some of them, the CCTV footage has not been taken of the entire day. On 19th September, 2022, the cameras were working from 2.00 P.M. till 12.00 O'clock in the mid night; on 20th September, 2022 they were working from 12.00 O'clock in the mid night to 1.00 P.M.; on 21.09.2022 the footage is available from 10.00 A.M. up to 5.00 P.M.; on 22.09.2022 footage is available from 9.00 A.M. till 12.00 O'clock in the noon; on 24.09.2022 footage is available from 11.00 A.M. till 5.00 P.M.; on 29.09.2022 footage is available from 11.30 A.M. to 3.00 P.M.; on 07.10.2022 footage is available from 5.50 P.M. up to 12.00 O'clock mid night and on 08.10.2022 the entire day's footage is available.

This Court fails to understand that without there being any technical fault reported earlier, footage could be retrieved of only a few hours on each day. There is no report of any technician repairing the cameras. There is a considerable doubt in the mind of this court that the CCTV footage have been tampered with/deleted. Therefore, this Court directs the Senior Registrar to send the CCTV footage sent by the A.D.J.-I, Barabanki to the Forensic Science Laboratory, Lucknow with a request to the Director to examine the same, especially with regard to question of deletion/tampering and submit his report by the next date of listing.

The Senior Registrar has already been directed to keep the hard disc sent from the court of Barabanki with him in safe custody.

He shall ensure compliance of this Court's order forthwith.

List this case on 4th August, 2023.

Order Date :- 17.7.2023

ML/-