



\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 4422/2025 & CrI. M.A.19248/2025

NARCOTICS CONTROL BUREAU

.....Petitioner

Through: Mr. Arun Khatri, SSC with Mr. Akshay, Mr. Sahil, Ms. Anoushka Bhalla, Ms. Shelly and Ms. Tracy Sebastian, Advs.

versus

NAVEEN FOGAT

.....Respondent

Through: Mr. Anand Kumar, Mr. Aditya Giri, Mr. Chetan Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

08.07.2025

%

1. In this petition, the Narcotics Control Bureau [NCB] challenges the legality of the order dated 04.07.2025 passed by the learned Special Judge (NDPS), Patiala House Courts, New Delhi in SC No. 385/2023, wherein the court issued directions under Section 94 of BNSS for preservation and disclosure of Cell Location ID charts and mobile data including that of the Investigating Officer Chetan Sharma and Superintendent Amit Kumar Tiwary.

2. Learned counsel appearing for the petitioner submits that such disclosure poses a serious threat to operational confidentiality, national security and ongoing investigation and thus seeks a stay on the orders



implementation.

3. Issue notice. Notice is accepted by learned counsel appearing for the respondent and seeks time to file the reply.
4. Learned counsel appearing for the respondent submits that there were custodial irregularities on 19.07.2023 preceding his formal arrest on 20.07.2023, and therefore, he filed an application under Section 94 of BNSS seeking location data to substantiate his claims. He submits that Cell Location ID charts would be helpful in revealing the custodial irregularities committed by the Investigating Officer of the NCB. He further states that as per the guidelines, such records are only maintained for a period of two years, and therefore, the same necessitated the filing of the application after framing of charge by the trial court.
5. Respondent is directed to file reply to the petition within four weeks.
6. Renotify on 09.10.2025.

RAVINDER DUDEJA, J

JULY 8, 2025/ib/na