

9. CR CASE NO. 795/2020
STATE V. BABU @ SAHIL
FIR NO. 130/2020
PS GOKUL PURI
DLNE02-001444-2020

Proceedings conducted through V/C in terms of Order No.569/RG/DHC/2021 dated 19.08.2021 of Hon'ble High Court of Delhi.

06.09.2021

Present: Sh. R.C.S.Bhadoria, Ld. SPP for State.
IO SI Ashish Garg alongwith SHO PS Gokal Puri through V.C.
Accused Dinesh @ Michael produced from CJ-11, Mandoli Jail through V.C.
Sh. Ashish Proxy counsel for accused Sandeep @ Mogli.
Accused Sandeep @ Mogli, Babu @ Sahil and Tinku have not been produced from J.C. despite repeated calls.

It is already 10:40 am. Let an explanation in this regard be called from the Jail Superintendent concerned through DG(Prison) within three days from today.

Reply in terms of previous order has been received from DCP (NE) in terms of which FSL result in respect of CCTV footage has already been submitted to the court through supplementary charge sheet on 26.10.2020. A perusal of record reveals that after filing of the second supplementary charge sheet along with the aforesaid FSL result, on 22.03.2021 a request for adjournment was made on behalf of State for arguments on charge on the ground that another supplementary report is to be filed with CCTV footage and FSL report. Even on the last date of hearing, some more time was sought by Ld.

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SPP for filing of supplementary report which was granted to him. Today, once again a request of adjournment is made by Ld. SPP for filing of supplementary report alongwith CCTV footage seized and sent to FSL in FIR No. 106/2020, PS Gokul Puri.

In view of the aforesaid submissions of Ld. SPP, reply received from SHO PS Gokal Puri and DCP (NE) seems to be absolutely evasive as if they are not aware of the status of investigation/further proceedings in the present case in as much as the said replies of SHO and DCP (NE) are conspicuously silent about the intent of Police to file supplementary charge sheet alongwith CCTV footage and FSL report obtained in FIR No. 106/2020, PS Gokal Puri despite the fact that said replies are dated 03.09.2021.

Under the aforesaid facts and circumstances of the case, I deem it appropriate to report the matter to Commissioner of Police, Delhi so as to bring the conduct of the SHO PS Gokal Puri and DCP (NE) to his notice in as much as they are failing in their supervisory duties despite receipt of copy of last order of this court and are trying to avoid taking any responsibility in the matter by not concluding further investigation in the present matter despite repeated directions causing delay in trial despite the fact that all the four accused in the present case are in JC for over a period of almost one year. Commissioner of Police, Delhi is directed to submit an action taken report in the matter within a week from today.

Put up for further proceedings on 04.10.2021.

Jail Superintendent is directed to produce the accused Dinesh @ Michael on 04.10.2021 before this court and for Rehnumai before Ld. Duty MM (NE) through VC on 20.09.2021.

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In the meantime, P/Ws of remaining accused persons be also issued in the names of the Jail Superintendent concerned for the next date.

Copy of this order be sent to Ld. SPP, IO, SHO, DCP(NE) as well as to Commissioner of Police, Delhi through all modes including through e-mail. Copy to Commissioner of Police, Delhi be also sent through Naib Court ASI Lilu Singh and in his absence through Naib Court ASI Mohd. Irshad. Naib Court shall place on record the acknowledgment regarding delivery of the copy of this order to Commissioner of Police, Delhi by tomorrow at 10 am. Copy of this order be sent to concerned Superintendent Jail through e-mail.

Copy of this order be also uploaded on the CIS Server.

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(ARUN KUMAR GARG)
Chief Metropolitan Magistrate
NE/KKD/DELHI/06.09.2021