

SC-28873/16
State Vs Naveen Uppal @ Sunny

04/01/2017

Present:-Sh. Ateeq Ahmad, Id. Addl.PP for State.

Inspector Sanjay Kumar Gaur in person.

Dr. Subruto Kumar, Sr. Scientific Officer on behalf of Director
CFSL CBI New Delhi in person.

Reply to show cause notice has been filed. Dr. Subruto Kumar has explained that though the facility for examination of the case property referred to them was available in the laboratory but the case being not being of CBI, necessary permission from Headquarter was required who had declined to give the permission on ground of high pendency of cases. It is, however, not disputed that the said laboratory had been and is conducting examination of cases other than of CBI in appropriate cases.

It is also shown from record produced by Dr. Subruto that there were about 75 cases of CBI of above 03 months and 45 cases of between 1 to 3 months.

IO has explained that he had earlier submitted the case property with FSL Rohini and CFSL Chandigarh who had declined to examine the case property on the ground that their machines were out of order.

In view of the fact that the present case relates to offence of section 302 IPC where the accused was in JC since 11/05/2016 and the case is being delayed for the above said non examination. The CFSL laboratory exists for assisting the course of justice and the accused has a valuable right of speedy trial. Accordingly, Director CFSL CBI is directed to accept the case property and to conduct examination of the same as per rules and submit its report at the earliest. Copy of the order be given dasti for necessary compliance.

List on the date already fixed i.e. 18/01/2017.

(DINESH BHATT)
ASJ-04/Delhi/04/01/2017