

3 SC 18/15/2015 44250/2015
STATE Vs. SHAHRUKH @ SONU & ANR.
FIR No. 261/2015
PS Khajuri Khas

29.05.2025

Present: Sh. Mukul Kumar, Ld. Addl. PP for the State.
Sh. Javed Ali, Ld. Counsel for the accused persons
alongwith accused persons.

Today the matter is fixed for PE.

On the LDOH, this court had issuedailable warrants against IO Inspector Arvind Pratap Singh. He has appeared in pursuance of theailable warrants issued against him. He has filed his personal bond in a sum of Rs. 5,000/-. The same is taken on record.

It is submitted by IO Inspector Arvind Pratap Singh that he is currently on leave and still he has appeared before this Court to depose. He has also submitted that this Court had issuedailable warrants against him, in spite of his verbal request being sent on the LDOH.

Perusal of the record reflects that the testimony of PW6 IO Inspector Arvind Pratap Singh is being recorded since 18.01.2019, wherein, he was examined in chief and his cross examination was deferred at the request of Ld. Defense Counsel.

On 25.10.2024, PW6 IO Inspector Arvind Pratap Singh was partly cross examined in the morning session and his further cross examination could not be conducted in the post lunch session on that day, since, the undersigned was not holding the Court in the post lunch session. Thereafter, PW6 IO Inspector Arvind Pratap Singh was recalled

for further cross examination on 23.05.2025, wherein, he was further partly cross examined in the pre-lunch session and when it was lunch time a specific request was made by him that he has an urgent work to attend to in the post lunch session and if the matter is kept for 03:30 PM on that day, he would return back so that his cross examination could be completed.

At 03:30 PM, the matter was taken up and PW6 IO Inspector Arvind Pratap Singh had not appeared despite repeated calls and waiting. The matter was adjourned at 04:00 PM, after it was informed by the Naib Court of this Court that he had received a telephonic call from the witness, wherein, it was informed that he had to attend a meeting with the Worthy Commissioner of Police. There was no formal written request, duly forwarded by his superior was received and this Court had to issue bailable warrants to ensure his presence today.

Today, after appearing before this Court, PW6 IO Inspector Arvind Pratap Singh has submitted that the information forwarded by him to the Naib Court pertained to his meeting with the Joint CP concerned and not the Worthy Commissioner of Police and the Naib Court of this Court had wrongly informed about his meeting with the Worthy Commissioner of the Police. He has also submitted that as per the protocol, an officer has to first meet the Joint CP at the Police Headquarters, prior to meeting the Worthy Commissioner of Police and he never informed about the meeting with the Worthy Commissioner.

PW6 IO Inspector Arvind Pratap Singh has further submitted that he is not well and still he had appeared before this Court today. There is no medical document pertaining to his ill health that is being filed.

The PW6 IO Inspector Arvind Pratap Singh is asked to undergo a medical examination at Dr. Hedgewar Hospital, which is right adjacent to the Court Complex and the Naib Court of this Court is directed to assist him with the same. PW6 IO Inspector Arvind Pratap Singh has refused to undergo the medical examination.

PW6 IO Inspector Arvind Pratap Singh has submitted that he is now feeling well and his cross examination may be conducted today.

It is pertinent to point out here that PW6 IO Inspector Arvind Pratap Singh is the main IO of the present case and he is not doing a favour upon this Court to appear for recording of his testimony, and it is immaterial whether he is currently on leave or not, especially when his conduct on the last two hearings has not been proper.

PW-6 IO Inspector Arvind Pratap Singh has been further cross examined and discharged as a witness.

It is submitted by Ld. Addl. PP for the State that all the prosecution witnesses have been examined and upon his submissions, PE stands closed.

Now to come up for recording of statement of accused persons u/s 313 Cr.PC on **24.07.2025**.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/29.05.2025