

SC 56/2026
STATE Vs. SUMIT
FIR No. 527/2024
PS (Seelam Pur)

30.04.2026

Present: Sh. Masood Ahmad, Ld. Chief P.P. for the State.
Accused is present on bail.
Sh. Prem Chandra, Ld. Counsel for accused.
Mr. Shashank Dewan, Ms. Nikita Dewan, Ms.
Madhu Sharma and Ms. Muskan Sharma, Ld.
Counsels for complainant.

The complainant of this case Nitin Sharma is present who had moved an application under Section 193 (9) read with Section 175(3) of BNSS praying for further investigation in the case. The IO is also present.

Arguments on the said application heard.

Ld. Counsel for the accused submits that the application has been filed at a belated stage and therein, reliance has been placed on a CCTV footage, whereas the IO reported in the charge-sheet that no CCTV cameras were found near the place of incident. Ld. Counsel has fairly conceded that this fact can only be determined during investigation.

Ld. Counsel for the complainant has placed reliance on a judgment in 'Court on its own motion Vs. State (Crl.Ref. 02/2022 dated 29.10.2025' wherein the Hon'ble Court after examining this issue, relevant provisions of law and various case laws, was of the opinion that *'after committal of a case, the repository to direct further investigation would be the court of*

contd...

Sessions. Post the enactment of Section 193 (9) BNSS, the proviso thereto makes it clear that further investigation during trial can be conducted with the permission of the concerned court trying the case, which, once a case is committed, would be the Sessions Court.'

The contention of the complainant is that firstly, the CCTV camera which was installed on a shop near the spot was not taken into consideration and its footage was not collected by the IO. Secondly, there were two eye witnesses who were never joined in the investigation. Thirdly, the CDRs of the mobile phone of the complainant were not obtained to confirm the location of the place of incident and lastly, the antecedents/previous involvement of the accused was not filed nor the record in this regard was obtained from National Crime Record Bureau.

The IO is present in person. Let a copy of this application be supplied to him. In view of the aforesaid, the application is allowed and the IO is directed to further investigate the matter on the above aspects and any other ground mentioned in the application and file his report in the form of supplementary charge-sheet under intimation to this court.

Application disposed of accordingly.

Put up for further proceedings on **03.07.2026**.

(SANJAY SHARMA-I)
Principal District & Sessions Judge,
North-East District, KKD, Delhi/30.04.2026