

12.03.2020

Present: None for the State.
Accused Salman produced from JC.
Accused Imran @ Modal present on bail.
Sh. Vijay Goswami, Ld. Counsel for both the accused persons.

Perusal of the file reveals that while dealing with the bail application of applicant/accused Salman vide order dt. 27.01.2020, it was observed that the entire case property has not been recovered so far, nor efforts have been made to corroborate the disclosure statement of co-accused Imran that the ring has been given to one Wasim nor any effort has been made to apprehend the person who provided weapon to the accused for committing the offence. The court ordered to send the copy of order to the office of DCP North-East who has to apprise the court about the steps being taken for the recovery of remaining articles and to ensure the completion of the investigation in a fair manner expeditiously.

On 25.02.2020, report was received from the office of DCP North-East and by which it was apprised to the court that matter is now investigated and ACP/Khajuri Khas is directed to supervise investigation of the case personally.

IO was called today to produce the case diary written by him qua investigation being carried out by him in the supervision of ACP Khajuri Khas. IO stated that he is not having any case diary written by him for the investigation being carried out by him under the supervision of the ACP Khajuri Khas to recover the remaining robbed articles and to apprehend the person who provide the weapon to the accused persons for committing the offence. He stated that he has not appeared before the ACP Khajuri Khas to apprise him about the facts of the investigation as he has been transferred to PS Karawal Nagar on 06.01.2020 and he has been relieved to join the duty at PS Bada Hindu Rao in North Distt.

The facts show that the investigations are not being conducted as per law and an effort is made on the part of DCP North-East to mislead the court qua status of the investigation.

Let the DCP North-East to explain personally the facts of the investigation of the case and to ensure completion of the investigation expeditiously so that matter may be prosecuted further and the accused sent to the court may be put on trial as per law.

Put up on 26.03.2020 for report / further proceedings.

(SUNIL CHAUDHARY)
Special Judge (NDPS)/ASJ/
NE/KKD/Delhi/12.03.2020