

New SC No. 51895/16
FIR No. 987/2005
Under sections 302/307 IPC
PS. Rohini
State versus Bhim Singh

02.08.2017

Present : Mr. P.K.Ranga, Additional Public Prosecutor for the
State.
Mr. A.B.Asthana, Special Public Prosecutor for State.
IO/ACP Rajvir Malik is present.

The matter is already fixed for 26.08.2017 for evidence of
the prosecution witnesses.

Since this Court has received the file by way of transfer
from order of Ld. District & Sessions Judge, North-West, Rohini
Courts, Delhi, so IO was called upon, as the Ld. Predecessor of this
Court had received a letter dated 19.06.2017 written by Under
Secretary to the Govt of India, Ministry of Home Affairs along with
copy of the letter written by Consultant (Extradition) Ministry of
External Affairs, Govt of India to the Ministry of Home Affairs along
with checklist.

Since the Under Secretary to the Govt of India, Ministry
of Home Affairs had written a letter on dated 19.06.2017 to the Ld.
Predecessor of this Court wherein it is mentioned that in case a
specific question is not governed by the exchange of letter dated 20th
February 1989 by both the countries, the Swiss Federal Act on Internal
Mutual Assistance in Criminal matters (IMAC) is applicable and
therefore they have stated that the interrogation of the witness has to
comply with the checklist for foreign requests for Mutual Legal

Assistance in criminal matters and requested to provide summary of the facts and legal qualifications of the case with a questionnaire and further requested to provide translation of the request into one of the official languages of Switzerland preferably German translation. The Ld. Predecessor of this Court was also requested to take necessary action in the matter and to send the requisite details directly to the Ministry of External Affairs under intimation to Ministry of Home Affairs.

So, this Court has supplied the photocopy of the letters and checklist etc to the IO and IO is directed to comply with all requirements as mentioned in the letter dated 19.06.2017 written by Under Secretary to the Government of India, Ministry of Home Affairs and he is also directed to file the translated version of the same as mention in this letter on the next date of hearing.

At this stage, IO/ACP Rajvir Malik has submitted that a special team may be constituted.

Since this is an oldest case and as per the direction of Hon'ble Delhi High Court, this case is required to be disposed off till December, 2017 and for the last about 7 years, this eye witness could not be examined and since the IO has submitted that for the compliance of the requirements as mentioned in the letter written by Under Secretary to the Government of India, Ministry of Home Affairs, some team may be constituted as he has having some difficulties for complying with the same requirements, so the DCP Rohini District is called upon for tomorrow i.e. 03.08.2017 so that a special team may be constituted so the eye witness may be examined in expeditious manner.

At this stage, IO has apprised to the Court that he has to appear before another Court of Mr.Jagdish Kumar, Ld. ASJ, Tis Hazari Courts, Delhi by tomorrow so matter may be taken up at 2.00 pm.

So, matter be listed on 03.08.2017 at 2.00 pm.

(Pawan Kumar Matto)
Special Judge (NDPS),
Additional Sessions Judge, N-W,
Rohini Courts, Delhi.02.08.2017