

SC 48/2020
STATE Vs. AAS MOHAMMAD
FIR No 207 /2019
PS H.N DIN
07.08.2023

Present: Sh. Wasi-Ur- Rahman, Ld. Addl. PP for the State.
All accused namely Aas Mohammand, Dilshad,
Rahis Razia Kaushar and Nida on court bail in
person alongwith Ld. Counsel Sh I.A Alvi.
Complainant alongwith Ld. Counsel Sh. Shripal
Upadhyay.

Today, the matter was listed for hearing arguments on point of charge. Ld. Addl PP for State submitted that there is sufficient evidence on record to frame the charges qua accused persons. However, Ld. Counsel for accused persons submitted that without the FSL report qua the DVR, charges ought not to be framed as the CCTV footage is a clinching piece of evidence to establish the innocence of accused persons.

Under these circumstances, this Court deems it fit to frame the charges only when the FSL report qua DVR is filed.

A perusal of record reveals that chargesheet was first filed on 14.11.2019, despite elapse of several dates of hearing, FSL result qua DVR has not yet been filed on record. On 15.12.2022, noting this delay, this Court had directed the Director FSL, Rohini to appear in person and file the FSL report whereafter on 21.03.2023, Dr Bharti Senior Scientific Officer, Physics had joined through VC and expressed her inability to furnish the FSL

report. However, the said Senior Scientific Officer had submitted that the report would be ready by 28.04.2023. We are in August, 2023, yet FSL report has not been placed on record. This is not an acceptable state of affairs.

Under these circumstances, **issue notice to Director FSL, Rohini to comply with orders dated 21.03.2023 and 15.12.2022.**

Let **copy of this order and orders dated 21.03.2023 and 15.12.2022 alongwith notice be sent the Director FSL Rohini** for necessary information and compliance.

Further, **let copy of this order be also sent to IO/Inspector Jiweshwar to ensure compliance and also to remain present** on the next date of hearing.

Put up for **filing of report** as well as for **hearing arguments on point of charge** on **14.09.2023**

(ARUL VARMA)

ASJ-04 + Spl. Judge (NDPS) South East District,
Saket Court, New Delhi: 07.08.2023