

SC 320/2022
STATE Vs. RAJENDER KUMAR
FIR No 1038 /2015
PS AMAR COLONY

21.08.2023

Present: Sh. Wasi-Ur- Rahman, Ld. Addl. PP for the state.
All accused namely Faisal Bhupender, Anurag, Atul Seth, Riyaz Joginder Kumar, S,K Chatterjee alongwith Ld. Counsel sh. Nadeem Abbasi.
ACP Sh. Govind Sharma alongwith IO/Inspector Sachin Kumar.
Inspector Anant Kumar Gunjan, DPA, in person.

1 On the previous date of hearing notice was issued to the then ACP Sh. Govind Sharma to explain as to why children were not added in the list of witnesses nor were age documents filed on record at the time of forwarding the chargesheet.

2 The issue had arisen, as upon a perusal of record at the stage of arguments on point of charge, it was revealed that the age documents of only Farhan, Ranjan Kumar Gupta, Pawan and Deepak were placed on record. It was apprised that total 14 children were found working in factories/business establishments of the accused herein. However, age proof of all 14 children were not placed on record. Further, a perusal of record also revealed that in the list of witnesses, names of none of the children were mentioned.

3 Today, Sh.Govind Sharma, the then ACP entered

appearance and has apprised the court that some more time may be granted to put complete facts before the Court. It was submitted by the then ACP that inadvertently, the names of children were not mentioned in the list of witnesses attached with chargesheet. However, ACP has apprised the Court that investigation was conducted diligently as is explicit from a perusal of chargesheet where the statements u/s 161 Cr.PC of all children have been recorded. ACP further apprised the Court that even statements u/s 164 Cr.PC of all the children have also been recorded. A report has also been filed by ACP where some more time has been sought to file supplementary chargesheet to bring on record the correct facts. IO/Inspector Sachin Kumar has further apprised the court that age verification documents of all children are being obtained and the same shall be filed with supplementary chargesheet.

4 ACP Sh. Govind Sharma, has assured that he would be filing the scrutiny memo alongwith original police file before this Court on the next date of hearing.

5 At this juncture, ACP has apprised the court that he has been transferred from the said Sub-division and is presently posted as ACP Traffic and thus requested the court to issue further directions to current ACP and SHO concerned to appear in person for the next date of hearing. ACP Sh. Govind Sharma submitted that he will assist the present incumbents in filing the supplementary chargesheet.

6 Accordingly, **let notice be issued to concerned ACP and SHO concerned** to appear in person on the next date of hearing. **Let copy of this order be sent to ACP concerned through IO/Inspector Sachin Kumar for necessary compliance** for filing relevant documents through supplementary chargesheet.

7 Re-list for **filing of supplementary chargesheet** as well as for **hearing arguments on point of charge** on **20.11.2023**

(ARUL VARMA)

ASJ-04 + Spl. Judge (NDPS) South East District,
Saket Court, New Delhi: 21.08.2023