

SC No. 38 of 2023
State Vs Sher Singh Rawat & Ors.
FIR No. 342/2022
PS Saket

27.10.2023

Present: None for State.
All accused produced from JC.
Sh. Naveen Chauhan, Ld. Counsel for accused Sonu Kumar @ Addu.
Sh. Neeraj Sinha, Ld. Counsel for accused Sher Singh Rawat.

Ld. Additional PP for State has been assigned to this Court on sharing basis who is reported to be busy in another Court.

Matter is at the stage of further arguments on point of charge on behalf of the remaining accused persons as well as State.

On behalf of accused Sonu Kumar @ Addu, arguments on point of charge advanced.

Ld. Counsel for accused Ritik @ Anshul has again not appeared to address the Court on the point of charge. It is noted that on the previous date also, his counsel has failed to appear.

In view of this, no further opportunity can be granted to accused Ritik @ Anshul at this stage as all the accused persons have been running in custody and due to absence of counsel for accused Ritik @ Anshul, proceeding on charge cannot be held up.

On behalf of the State, Ld. Additional Prosecutor is also not present to advance the arguments as he is busy in other Court which has been assigned to him. This situation reflects a sorry state of affairs of the prosecution as it has been noted that in most of the cases on the point of charge or arguments on appeal or

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final arguments, there has been no representation on behalf of the State for the reason that Ld. Additional Public Prosecutor is looking after the work of two Courts and it may not be possible for him to juggle between two Courts, which has hampered the Court proceedings at all the significant stages and thereby has thwarted the course to criminal justice.

The present case pertains to Section 302 IPC and it is expected from the State to render necessary assistance and advance the arguments but due to absence of the Additional Public Prosecutor for the State, this case like other cases has been left unattended. It is reiterated that this Court is a special designated Court for the offences falling in the purview of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act 1989; Protection of Interest of Depositors (in financial establishment) Act 2018; Rights of Persons with Disabilities Act 2016; Securities and Exchange Board of India Act, 1992; Drugs & Cosmetics Act 1940 and Protection of Human Rights Act 1993 and for almost two months now, no regular prosecutor has been assigned to this Court.

In such circumstances, I am constrained to call upon the Directorate of Prosecution to respond to the aforementioned state of affairs on or before next date of hearing.

List now for Order on point of charge on **18.11.2023**.

Copy of this Order be dispatched to Directorate of Prosecution for information and compliance along with notice for the next date.

(Navjeet Budhiraja)
ASJ-02 (South)/ Saket Courts
New Delhi/27.10.2023