

S.C. No. 03A/14
DRI vs. Anil Kumar & Ors.

29.03.2017

Present :- Ms. Mala Sharma, Ld. Special PP for DRI.

All the accused Anil Kumar, Manu Khosla and Amit Kumar Singh produced in JC with their respective counsels Sh. Saurav Luthra and Sh. Babu Lal.

No prosecution witness (PW) is present. Though the PW3 Sh. Diwakar Joshi is bound down for today on the last date of hearing as his examination-in-chief was deferred as the case property was not received by the Court.

A request for adjournment is made by the learned Special Public Prosecutor for DRI that the officials concerned are busy in some urgent official work. The request of PW3 is forwarded by the Assistant Director (G.I). Apart from that the directions regarding taking action against the tampering of the case property and no report has been received to this effect. However, Ld. SPP seeks further time as the matter is already in process.

The directions of the court have not been complied with either for further examination of PW3 Sh. Diwakar Joshi despite he is bound down for today. Even the action taken

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report has also not been filed regarding tampering of the case property. It tantamount to disobey the directions of the Court. There is no important work other than the compliance of directions of the Court and being busy of the person in official duty is no ground. Such practice be discouraged in future. PW3 Sh. Diwakar Joshi be directed to appear on next date of hearing positively.

Show cause notice be issued to PW3 Sh. Diwakar Joshi for disobedience of the directions of the Court as to why a suitable action should not be taken under the necessary provision of law. The concerned officials be also directed to comply with the order dated 10.03.2017 in total and file the action taken report regarding tampering of the case property.

Matter be notified for P.E. on **07.04.2017**.

Copy of this order be sent to DRI for necessary compliance.

(Dr. S.K. Gautam)
Special Judge (NDPS)/ASJ
South District/29.03.2017