

SC No. 141/20
CNR No. DLWT01-001673-2020
State vs Suraj @ Amar
FIR No. 545/2019
U/s. 307 IPC
PS Rajouri Garden

02.07.2022

Present: Sh. Virender Singh, Ld. Addl. PP for State (substitute)
Accused on bail

Neither the FSL report nor permission under Section 39 Arms Act received.

Notice under Section 350 Cr.P.C issued to the IO not received back. Incharge VB is directed to appear in person and explain as to why notice has not been received back.

As per report, the notice has been served upon DCP, West. The conduct of the SHO and the IO shows that they are least bothered about the compliance of the court orders. The charge-sheet in the present FIR was filed on 15.01.2020 and the present case was committed to the Ld. Sessions Court on 29.02.2020. However, almost 2½ years have been passed since the filing of the charge-sheet, but neither the FSL report has been received nor Sanction under Section 39 of the Arms Act filed due to which even charge has not been framed against the accused. Regular notices have been issued to the IO but he remained absent on 01.04.2021, 29.07.2021, 23.09.2021, 11.11.2021, 06.01.2022, 09.03.2022, 18.05.2022 and today as well despite notice under Section 350 Cr.P.C.

Therefore, in these circumstances, court is constrained to impose cost of Rs.10,000/- each upon SHO PS Rajouri Garden and IO SI Vikash Fageria which shall be deducted from their respective salaries and be deposited with DLSA, West.

The conduct of the DCP, West is also on the similar lines. Therefore, issue notice under Section 350 Cr.P.C to DCP, West for non-compliance of the court orders.

Let fresh notice under Section 350 Cr.P.C be issued to the IO SI Vikash Fageria and SHO PS Rajouri Garden to explain as to why penal action shall not be taken against them as per law.

The present case pertains to the year 2019 and almost three years have been passed. Request of FSL, Rohini for preparation of report by 17.08.2022 stands rejected. Director, FSL is directed to expedite the report and appear in person on 19.07.2022.

Put up for filing of FSL report and Sanction under Section 39 Arms Act on 19.07.2022.

Copy of the order be sent to the DCP West, IO SI Vikash Fageria, SHO PS Rajouri Garden and Director, FSL, Rohini for compliance.

(Sanjay Kumar)
Principal District & Sessions Judge (West)
Delhi/02.07.2022