

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Application No. 198/2024
IN

D.B. Civil Writ Petition (PIL) No. 3341/2014

Suo Motu		-----Petitioner
	Versus	
State of Rajasthan & Ors.		-----Respondents

For Petitioner(s)	:	Mr. Pankaj Gupta, Amicus Curiae, Mr. Sudhir Jain, Amicus Curiae, with Mr. Monu Kumar, Adv. & Mr. Chinmay Sharma, Adv.
For Respondent(s)	:	Mr. Bharat Vyas, AAG, assisted by Mr. Kapil Vyas, Adv. & Ms. Aditi Vats, Adv. Dr. Rajesh Kumar, Deputy Director, FSL

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE UMA SHANKER VYAS
Order

02/01/2025

Learned Additional Advocate General would point out that in compliance of the order which was passed earlier by this Court on 25.10.2024, an affidavit has been filed which incorporates various steps taken towards improving the forensic mechanism to ensure timely testing of DNA samples.

We have gone through various documents particularly letter dated 21.11.2024 (Annexure-R/6). From these documents, it appears that certain steps have been taken towards ensuring timely testing of DNA samples. Moreover, the affidavit and the SOP also show that as far as DNA samples in POCSO cases are concerned, it is being ensured that the samples are tested within a stipulated period of ten days.

During the course of arguments, learned Amicus Curiae and learned Additional Advocate General both made their elaborate submissions insofar as requirement of scaling up the forensic

mechanism is concerned. It is stated that roughly about 35,000 cases of test of samples of different categories are pending in various labs throughout the State.

What would be a matter of concern for us is as to how long these samples have remained pending. To begin with we would require respondents to file a data as to how many samples are pending as on 01.01.2025 and also how many samples in different categories in different forensic labs of the State are pending since- (a) more than 6 months, (b) more than 1 year & (c) more than 2 years.

All the samples which are received in forensic labs are required to be tested within a reasonable period depending upon the nature of samples and its shelf life so that the very object of collecting forensic evidence is not frustrated due to delay.

Learned State Counsel may seek instructions and submit before the Court, an action plan including scaling up of infrastructure, manpower with sufficient equipment to ensure that samples are tested within a reasonable time and a situation of samples pending for long period in the forensic labs is avoided in future. For this purpose, learned Additional Advocate General seeks six weeks' time.

Prayer is allowed.

The affidavit shall contain the information as sought above as also the action plan.

List this case on 17.02.2025.

(UMA SHANKER VYAS),J

(MANINDRA MOHAN SHRIVASTAVA),CJ