

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

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

Suo Motu

-----Petitioner

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Pankaj Gupta (amicus curiae) with Mr. Chinmay Sharma
For Respondent(s)	:	Mr. Bharat Vyas, Additional Advocate General with Mr. Avtansh Bana & Mr. Lalit Bhardwaj Dr. Rajesh Kumar, Deputy Director

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/04/2025

We have heard learned Amicus Curiae as well as learned Additional Advocate General and perused the affidavit/additional affidavit filed by the respondents in compliance of the order passed earlier including orders dated 25.10.2024 & 02.01.2025.

Learned Additional Advocate General would submit that the authorities, in order, to ensure testing of all samples received in various forensic labs within reasonable time, have prepared action plan which is briefly outlined in communication dated 21.11.2024. He would further submit that in addition to that, one of the main features of the action plan is to integrate the DNA, Serum and Biology branches of the forensic labs which will ensure availability of number of scientists/experts and other technical staff for DNA testing. He would further submit that approval, in principle, of the Finance Department for filling up the post of Assistant Director

and Senior Scientist in DNA, Serum and Biology branch on urgent temporary basis has been granted. Once these posts are filled up on urgent basis, there will be availability of 43 more such Assistant Directors and Senior Scientists. He also states that two Assistant Directors, DNA have already been appointed and posted in labs at Bharatpur and Kota.

Learned counsel for the respondents would further submit that though there had been delay in construction of Regional Forensic Science Laboratory at Bharatpur because of the difficulties expressed earlier in the PIL proceedings, now construction is going on and the same is likely to be completed by September-October, 2025.

Taking into consideration the aforesaid submissions and the steps taken to scale up infrastructure and manpower requirements and further taking into consideration the action plan as contained in letter dated 21.11.2024, for the present, we are inclined to direct that all endeavors shall be made to ensure that the samples do not remain pending for more than one year, as far as possible.

In all cases where DNA samples have been sent for testing in connection with commission of offence punishable under POCSO Act, 2012 against minors under 12 years, it shall be ensured that those samples are tested within ten days and in other cases of testing of DNA samples in connection with commission of offence under POCSO Act, 2012, the samples, in any case, are tested within a maximum period of three months.

We intend to fix appropriate timeline also in the matter of testing of samples in respect of the offences relating to rape, unidentified body and murder. Appropriate direction in this regard



shall be issued after satisfying ourselves with the steps taken towards improvement of infrastructure, manpower and procurement of necessary equipment.

List this case on 02.07.2025.

An affidavit shall be filed to cover all the developments which have taken place during the period of three months.

(ANAND SHARMA),J

(MANINDRA MOHAN SHRIVASTAVA),CJ