

**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**MISCELLANEOUS APPLICATION NO(S).130 OF 2020  
IN  
CRIMINAL APPEAL NO. 1794/2019**

**P. GOPALKRISHNAN @ DILEEP**

**APPLICANT/  
PETITIONER(S)**

**VERSUS**

**THE STATE OF KERALA**

**RESPONDENT(S)**

**O R D E R**

1. Heard counsel for the parties.
2. As regards the first grievance that the cloned copy ought to have been made by the Central Forensic Science Laboratory (CFSL), Chandigarh we are not inclined to accept the same. In our opinion, making of cloned copy by the Forensic Science Laboratory is substantial compliance of the direction given by us in our Judgment dated 29.11.2019.
3. We, however, agree with the grievance of the applicant that the applicant cannot be forced to commence his cross-examination of the witnesses until the report of CFSL is made available to him. In other words, the trial Court may proceed with recording of evidence of prosecution witnesses till the stage of examination in chief. Cross examination of the prosecution witnesses can commence only after CFSL

report becomes available to the applicant.

4. In view of the above, we direct the CFSL, Chandigarh to expedite the report and make it available to all concerned preferably within three weeks from today.

5. We also clarify that the trial Court may continue with the trial but may not hasten the same merely because of the observation made by us in the aforementioned judgment regarding disposal of the trial within six months. The trial must adhere to all essential procedural formalities and give fair opportunity to all concerned to obviate any grievance in that regard.

6. Miscellaneous application is disposed of in the above terms.

....., J.  
(A.M. KHANWILKAR)

....., J.  
(DINESH MAHESHWARI)

NEW DELHI  
JANUARY 17, 2020

ITEM NO.30

COURT NO.7

SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SMiscellaneous Application No(s).130 OF 2020  
in  
Criminal Appeal No.1794/2019

P. GOPALKRISHNAN @ DILEEP

Applicant/(s)

VERSUS

THE STATE OF KERALA

Respondent(s)

Date : 17-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARIFor Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Philip T. Varghese, Adv.  
Mr. Sujesh Memon, Adv.  
Mr. P. Vamshi Rao, Adv.  
Ms. Ranjeeta Rohatgi, AOR  
Ms. Pragya Baghel, Adv.  
Ms. Samten Doma, Adv.  
Mr. Abhishek Thakral, Adv.For Respondent(s) \*Mr. Ranjit Kumar, Sr. Adv.  
Mr. G. Prakash, AORUPON hearing the counsel the Court made the following  
O R D E RMiscellaneous application is disposed of in  
terms of the signed order.(NEETU KHAJURIA)  
COURT MASTER(VIDYA NEGI)  
COURT MASTER

\*appearance slip not given.