

CR no.46/21
State of NCT of Delhi Vs. Vinod

27.10.2021

**Fresh revision petition received by way of assignment.
It be checked and registered.**

Present: Sh. R. C. Bhaudauriya, Ld. Spl. P. P for the State.
ACP Rajesh Dahiya along with Inspector Upender Solanki,
SHO PS Karawal Nagar.
IO SI Ravi Dahiya in person.

This is a criminal revision petition, preferred by the revisionist, for setting aside the impugned order dated 23.10.2021, passed by Sh. Arun Kumar Garg, ld. CMM, NE, in case no.939/2020, titled as State Vs Raj Kumar Gullu and ors, whereby the ld. CMM has issued show cause notice to the IO as well as DCP, NE, directing them to explain as to why appropriate action, as per law, including u/sec. 60 r/w section 122 of Delhi Police Act, be not taken against them for non supply of the coloured copies of photographs to accused Vinod.

Let the Trial Court record be called for 12:30PM.

(RAMESH KUMAR)
Principal District & Sessions Judge/N-E/
Karkardooma Courts/Delhi/27.10.2021

It is 1:00 PM

Present: Sh. R. C. Bhaudauriya, Ld. Spl. P. P for the State.
ACP Rajesh Dahiya along with Inspector Upender Solanki,
SHO PS Karawal Nagar.
IO SI Ravi Dahiya in person.

Arguments heard at length.

Ld. Spl. P. P for the State has prayed for stay of the impugned order, dated 23.10.2021.

Impugned order, dated 23.10.2021 perused.

Perusal of the impugned order, dated 23.10.2021, reveals that despite specific direction vide order, dated 22.09.2021, the IO failed to supply complete set of coloured photographs to accused. It has further been observed by the ld. Trial Court, in the impugned order, that in number of cases direction in respect of supplying complete set of documents along with CCTV footage in riot cases, pending before the ld. Trial Court, have not been complied with.

In these circumstances, in order to avoid undue delay, in the trial, before the ld. Trial Court, the IO of the present case, is hereby directed to supply the deficient coloured photographs and CCTV footage, if any, to the accused, as expeditiously as possible, preferably within a week from the date of this order. **It is pertinent to mention that the primary duty of the IO in criminal matters is to assist the Court in expeditious disposal of cases and it is the duty of the IO to supply complete set of documents to the accused, in criminal case, within the statutory period.** In view of these facts, the concerned IO is hereby directed to make necessary endeavour to supply the deficient coloured photographs to the accused, in the matter, pending before the ld. Trial Court, within the above-mentioned period. IO is further directed to remain present, on the next date, before the ld. Trial Court, with his appropriate explanation, regarding non-compliance of the ld. Trial Court order, dated 22.09.2021.

So far as directions regarding issuance of show cause notice to the DCP, NE, seeking his explanation as to why appropriate action, as per law, including under Section 60 r/w Section 122 of the Delhi Police Act, be not taken against him, stands stayed till the next date of hearing.

Issue notice of this revision petition to the respondent for the next date of hearing.

Copy of this order be given, dasti, to the revisionist.

Copy of this order also be sent to the ld. Trial Court for information.

Trial Court record be sent back and be called, again, two days, prior to the next date of hearing.

Put up for arguments on 29.11.2021.

(RAMESH KUMAR)
Principal District & Sessions Judge/N-E/
Karkardooma Courts/Delhi/27.10.2021