

SC no.93/21  
State Vs Dinesh etc.  
FIR no. 64/20  
PS Gokalpuri

05.10.2021

Present: Sh.D.K.Bhatia, Ld.Special PP for the State alongwith IO  
ASI Ram Dass.  
Ms.Shikha Garg, Adv.from DLSA and Sh.Rakshpal  
Singh, Ld.Counsels for accused Dinesh, Sahil @  
Babu and Sandeep @ Mogli from DLSA.  
Sh.Rajeev Pratap Singh, Ld.Counsel for accused Tinku.  
All the four accused persons produced from J/C.

P.W-11 ASI Ashish Garg, PW-12 HC Sanoj, PW-13  
Ct.Vikas and PW-14 IO ASI Ram Dass examined, cross examined  
and discharged. The abovesaid witnesses were examined in court  
from 10.30 a.m. till 2.40 p.m.

PE in the matter is complete. The same stands closed.

PW-12 HC Sanoj has categorically stated on oath in his  
evidence that he had identified three more rioters by their names as  
well as their professions being Vikas Kashyap, Golu Kashyap and  
Rinku Subziwala.

On the contrary, PW-14 ASI Ram Dass in his evidence  
has stated that the aforesaid three accused persons although  
specifically named by PW-12 HC Sanoj could not be identified during  
investigation. PW-12 HC Sanoj categorically asserted about their  
presence at the spot at the time of riots. This is however, admitted by  
the IO that there is nothing on record to substantiate that matter qua

aforesaid three accused persons was ever investigated despite their names being there on record.

On the contrary, it is stated that the identity of these accused persons could not be established during investigation. There is no material on record that efforts were ever made by IO to apprehend the said accused persons. Prima facie, one of the police witnesses is lying on oath punishable u/s 193 IPC.

It is brought to my notice by the Ld.Defence Counsels that FIR bearing no.134/21, PS Gokalpuri has been registered in the matter on the complaint of Sh.Nisar Ahmed in which aforesaid three persons have been specifically named as accused persons but even in that case, the said accused persons have not been interrogated. This is a very sorry state of affairs.

Let a report from the DCP/NE be called for on the above aspect.

Now, list for recording of statement of accused persons on 30.10.2021.

(VINOD YADAV)  
ASJ-03(NE)/KKD Courts/Delhi