

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION NO. 2595 of 2020

=====

SHEIKH SALIM SHEKHBABU
Versus
STATE OF GUJARAT & 2 other(s)

=====

Appearance:

MR IMTIYAJ M KURESHI(5301) for the Applicant(s) No. 1
MR K I KAZI(5030) for the Applicant(s) No. 1
for the Respondent(s) No. 3
NOTICE SERVED(4) for the Respondent(s) No. 2
MR MITESH AMIN, PUBLIC PROSECUTOR with MS JIRGA JHAVERI,
APP(2) for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MS. JUSTICE SONIA GOKANI
and
HONOURABLE MR. JUSTICE N.V.ANJARIA

Date : 28/09/2020

ORAL ORDER
(PER : HONOURABLE MS. JUSTICE SONIA GOKANI)

1. Today the Investigating Officer who is a senior officer from State CID Mr. Girish Pandya, IPS has remained present. The case diary from 06.07.2020 till 11.09.2020 has been shared along with the statements of the witnesses as also the request made to learned JMFC, Baroda for Lie Detection Test of the accused. According to him, the next date of hearing the said application is 30.09.2020 before the Court of learned JMFC. The report dated 27.09.2020 also has been given by him to the office of learned Public Prosecutor. He has also

given the road map of investigation and has ensured the best possible endeavours to go to the root of the matter. He also further added that once the Court of Learned JMFC permits the Lie Detection Test, as and when deemed appropriate during the course of investigation, further scientific tests also shall be requested for.

2. It is emphatically made clear to the Investigating Officer that truth is the motto and object of every investigation and in the instant case, all the accused are police personnel who are supposed to be well versed with all possible tactics to overreach the process of law, extraordinary care would be expected on his part. And, IO is to constantly remind himself that this crime is allegedly committed while on duty where the corpus is said to have been tortured in custody and alleged to have been done away with mercilessly and the incident was glossed over till revealed in this petition. Let no stone be left unturned and every possible attempt be made to go to the root of the matter. There must not be any scope of either laxity or soft paddling at any stage of investigation which is not only impermissible, but would also prove to be deleterious for the system. Periodical reporting also shall be

needed till the whereabouts of corpus is found with substantive and scientific proof.

3. Matter shall be scheduled on 15.10.2020 where the case diary shall be shared with the Court along with the progress in the investigation, 24 hours advance. The Investigating Officer shall remain present through video conferencing also on the next date of hearing.

(SONIA GOKANI, J)

(N.V.ANJARIA, J)

MISHRA AMIT V./Bhoomi

