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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 82/2022

TASLEEM & ORS

..... Petitioner

Through: Mr. Deepak Parashar and Mr. Prakhar Singh, Advocates along with petitioners.

versus

THE STATE (GOVT OF NCT) OF DELHI & ANR

..... Respondent

Through: Mr. Panna Lal Sharma, APP

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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08.02.2022

(THROUGH VIDEO CONFERENCING)

1. The instant petition has been filed for quashing of FIR bearing No. 45/2018 registered at Police Station Nabi Karim, Delhi. All the parties have appeared (through VC) however there was no appearance on behalf of the Police Department on the first call. The matter was accordingly passed over and on second call when the matter was called out, one SI Manmeet appeared and on being asked by Mr. Panna Lal Sharma, learned APP, he stated that the Investigating Officer of the case is not available today.
2. Learned APP informed this Court that he has telephonically directed Additional SHO Sh. Vijay Gupta to appear in the present case but despite the direction being given, he has chosen not to appear before the Court.
3. It is observed by this Court that even in other cases as well the

concerned Investigating Officer in those cases are avoiding appearance before the Court. The criminal justice machinery cannot be left at the mercy of the department and its officials where due to their negligence, cases are kept at abeyance and the entire machinery comes to a standstill. Such a delinquency on the part of the Officers in the Police Department is most unfortunate and should be strictly dealt with.

4. The Court is left with no other option but to direct the DCP, Central to personally look into the matter and seek written explanation from the concerned Investigating Officer/Officer concerned for his non-appearance in the matter today despite the instructions given by learned APP. The DCP is accordingly directed to file an affidavit to this effect, along with the written explanation of the Officer concerned, within ten days from today, failing which, he shall appear before this Court on the next date of hearing.

5. List on 24th February 2022.

CHANDRA DHARI SINGH, J

FEBRUARY 8, 2022

Aj/ct