

CNR No. DLNE01-000230-2022

SC No. 21/22

State v. Mohd. Farooq etc.

FIR No. 126/20

PS Dayalpur

25.08.2023 (At 01:13 PM)

Present: **Sh. Madhukar Pandey**, Adv. appearing for **Sh. D.K. Bhatia**, ld. Special PP for State, along with Insp. Atul Tyagi, SHO/PS Dayalpur and IO/SI Rajeev Kumar.

Accused Mohd. Farooq and Mohd. Shadab, in person on bail.

Sh. Manoj Kumar, ld. proxy counsel for **Sh. Shailendra Singh** and **Sh. Nasir Ali**, ld. counsels for accused Mohd. Farooq.

Ms. Shavana, ld. counsel for Mohd. Shadab.

Sh. D.K. Bhatia, had appeared in the morning, through video conference.

A report has been received from ld. DCP (N/E) and a report has been filed by SHO. As per documents annexed with the report of SHO, he has formally sent a letter to FSL on 18.07.2023, so as to provide a mirror copy/image of the exhibits, which were sent by Crime Branch to FSL in FIR No.60/20, PS Dayalpur. On the bottom of this letter itself, it is mentioned by official of FSL that the case property and report in FIR No.60/20 were already collected by police on 29.12.2020. There is another letter dated 25.01.2023, sent by the then ld. Addl. DCP (N/E) to Director FSL to provide a sealed copy of extracted data from the aforesaid exhibits. It is well apparent that on such date, this exhibit/ case property (pertaining to FIR No.60/20) was not available in FSL at all.

At present, SHO submits that on the request of ld. DCP (N/E), ld. DCP (Crime Branch) has agreed to send back that

case property of FIR No.60/20 to FSL for the purpose of preparing mirror copy, to be filed in this case.

The evidence of this case was stopped on account of absence of this relied upon video, and it is also apparent that the mirror copy of that video for this case, is yet to be prepared and obtained. There had not been any concrete action so far, but it is expected that at least now SHO shall make his endeavour to get this mirror copy at the earliest possible time and preferably before next date of hearing.

It is unfortunate that till date, Id. Special PP and SI Rajiv, had been befooling this court in the name of pendency of this video and the report before FSL, without actually having any information in respect of the same. The same should not be repeated in future.

Put up on 09.10.2023.

(PULASTYA PRAMACHALA)

ASJ-03(NE)/KKD Courts/Delhi

25.08.2023