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

+ CRL.L.P. 682/2016

STATE

..... Petitioner

Through: Ms. Radhika Kolluru, APP

versus

SURAJ MORE

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
08.02.2017

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The affidavit has been filed in terms of the order dated 02.01.2017. The affidavit discloses that initially the learned Addl. Public Prosecutor had opined on 09.06.2016 that the case was not fit for filing an appeal by giving his reasons. It appears that the Chief Prosecutor-North West required the learned APP to discuss the file with him on 10.06.2016 and after the said discussion, opinion was revised on 11.07.2016 by the learned APP and filing of an appeal was recommended. Thereafter, the Chief Prosecutor-North West, endorsed the changed view of the learned APP that the case was fit for filing an appeal. The Director of Prosecution gave his endorsement on 14.07.2016 agreeing with the Chief Prosecutor. The affidavit filed on record does not speak well of the role played by the Chief Prosecutor-North West.

Even the reasons given in the diametrically opposite view taken by the learned APP on 11.07.2016, appear to be completely misdirected in law, inasmuch, as the contradictions in the statements of the prosecution witnesses were sought to be ignored and the view taken by the trial court premised on the defence of the accused was found to be incorrect.

It is hoped that in future such frivolous petitions shall not be filed and more serious and sincere evaluation shall be undertaken so as to save the time, effort and money of the State as well as the precious time of this Court.

VIPIN SANGHI, J

FEBRUARY 08, 2017

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