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

+ BAIL APPLN. 2470/2016

OM PRAKASH @ PANDEY

..... Petitioner

Represented by: Mr. Gaurav Sharma, Adv.

versus

GOVT OF NCT OF DELHI

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
Insp. Rajpal Singh PS Mangol
Puri.

Dr. Madhulika Sharma,
Director FSL Rohini, with Dr.
Suminder Kaur, Sr. Forensic
Examiner.

+ BAIL APPLN. 23/2017

SUBHANG @ SUBHANKAR

..... Petitioner

Represented by: Mr. N.K. Rawal, Mr. Ravi
Tikania, Advs.

versus

STATE (GOVT OF NCT OF DELHI

..... Respondent

Represented by: Ms. Rajni Gupta, APP with
Insp. Rajpal Singh PS Mangol
Puri.

Dr. Madhulika Sharma,
Director FSL Rohini, with Dr.
Suminder Kaur, Sr. Forensic
Examiner.

BAIL APPLNs. 2470/2016 & 23/2017

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CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
08.05.2017

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Director FSL is present in Court pursuant to the order dated 26th April, 2017. Even today the order dated 8th February, 2017 directing the Director FSL, Rohini to furnish an explanation as to why report has not been prepared for more than 1 ½ years has not been filed. Director FSL states that in the present case the samples were received at the FSL on 20th May, 2015 and the processing started on 22nd October, 2016 when it was found that the sample had putrefied. Thus fresh sample was asked for which process took another 3-4 months, hence there was delay in processing the result. Director FSL further states that some of the hospitals take the samples as per the protocols prescribed with the result the samples are preserved properly which can give results even later on, however the hospital where protocols are not followed the samples when processed are found to be putrefied, thus giving no proper results. She states that the samples after being received are required to be kept at 4 degree temperature. Obviously this is not available in the malkhana. She further states that the FSL has never delayed in accepting the samples and straight from the hospitals the samples should be sent to the FSL so that they are kept at the optimum temperature so that proper results can be given. She seeks some time to file a detailed affidavit. The same be filed within two weeks.

List on 29th May, 2017 before which date the affidavit will be filed.

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After arguing for some time in respect of the two Bail Applications, learned counsels for the petitioners state that they does not press the Bail Applications at this stage and would take all the pleas available before the learned Trial Court.

Bail Application 23/2017 is dismissed as withdrawn.

Bail Application 2470/2016 though withdrawn on merits, the only reason it is being kept pending is for appropriate directions so that the samples are received in the FSL expeditiously and action is taken thereon.

List Bail Application 2470/2016 to this limited extent on 29th May, 2017.


MUKTA GUPTA, J.

MAY 08, 2017
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