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

+ CM(M) 249/2018 & CM No.8229/2018

BALRAJ SINGH

..... Petitioner

Through: Mr.Anil Soni & Mr.Abhinav Tyagi,
Advs.

versus

THE STATE & ORS

..... Respondents

Through: Ms.Manika Tripathy Pandey,
Mr.Ashutosh Kaushik & Ms.Raveena
Tandon, Advs. for R-1.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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02.04.2018

Vide the present petition, the limited prayer made by the petitioner is for quashing of order dated 19th December, 2017 passed by the MACT whereby his request for a direction to the respondents to provide all documents of investigation conducted by SI Bijay Singh in the case relating to FIR No.123/2014, Police Station Kanjhawala, has been rejected.

Learned counsel for the petitioner had submits that the respondents had deliberately concealed the investigation conducted by SI Bijay Singh. Pursuant to the last order, the respondents have filed status report wherein, they have categorically stated that the investigation conducted by SI Bijay Singh had also been put up before the trial Court by SI Satbir Singh, the subsequent Investigating

Officer. It has also been stated therein that the petitioner would be free to seek any document from the trial Court as the charge-sheet has been filed by the respondent before the learned trial Court. Thus, it becomes evident that the respondents have no objection, in case, the writ petitioner is given all the relevant documents.

Even otherwise having perused the impugned order dated 19.12.2017 passed by the Motor Accident Claims Tribunal, I find that merely because the petitioner while moving the application seeking copies of documents relating to investigation made by the earlier Investigating Officer SI Bijay Singh, had not disclosed about his earlier conviction under Section 5/180 of the Motor Vehicles Act on a plea of guilt for permitting a minor to drive the offending vehicle, the Tribunal was not justified in declining his request to get the requisite documents especially because it was the petitioner's case that the said documents would have conclusively proved his innocence.

Accordingly, the impugned order dated 19.12.2017 is set aside to the above extent. The petitioner would be at liberty to obtain certified copies of the documents relating to investigations carried out by SI Bijay Singh from the trial Court. It is however, made clear that the respondents would not oppose the aforesaid prayer of the petitioner to obtain certified copies of the aforesaid documents.

The petition is allowed in the aforesaid terms. The pending application also stands disposed of.

REKHA PALLI, J

APRIL 02, 2018/gm