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

+ CRL.M.C. 1172/2018 & CrI. M.A. No. 8257/2018

DEV RAJ BATRA Petitioner

Through Mr. Arpit Batra, Adv.

versus

STATE Respondent

Through Ms. Aashaa Tiwari, APP with SI
Ramesh, P.S. Mundka

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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10.07.2018

Petitioner filed an application under Section 91 Cr.P.C. seeking directions to the prosecution to supply the copy of the statements of witnesses, namely, Dinanath, Bhramacharya, Abhilasha Chahalia, Sachin, Shamsher and Chanchal Arora. Contention of the petitioner before the trial court was that Investigating Officer had recorded the statements of aforesaid witnesses but had not filed the same along with the charge-sheet, since statements of all these witnesses supported the innocence of the petitioner. Trial court has dismissed the application.

Learned APP submits that witnesses, named above, had joined the investigation but their statements under Section 161 Cr.P.C. were not

recorded by the Investigating Officer. It is submitted that no such statement exist. Since statements under Section 161 Cr.P.C. of these witnesses were not recorded by the Investigating Officer, question of giving any direction to prosecution to place the alleged statements on record of the trial court does not arise.

Petition is dismissed. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

JULY 10, 2018
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