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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4220/2018 and Crl. M.A. no. 30378-79/2018
SHASHIKANT VERMA Petitioner
Through Mr. Vishesh Wadhwa, Mr. Mohit
Sharma, Mr. Yatharth Rohila and Mr.
Adigtya Swarup Agarwal, Advs.
Versus
STATE Respondent
Through Mr. M.S. Oberoi, APP with ASI
Karan Singh, P.S. New Usman Pur.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **21.08.2018**

By this petition under Section 482 Cr.P.C., petitioner has assailed the order dated 5th March, 2018 passed by the learned Additional Sessions Judge whereby certain adverse observations have been made regarding the manner in which investigation was carried out by the petitioner, inasmuch as, it was directed that petitioner shall not be handed over investigation of any fresh sessions triable case at least for a period of one year from the date of order or until the satisfaction of the DCP concerned.

Learned Additional Sessions Judge has noted that charge-sheet, which was a handwritten charge-sheet, depicted that conclusions had been arrived at by the Investigating Officer in a haste and clandestine manner. It has been further noted that petitioner did not bother to appear in court despite

the summons issued to him. He had appeared pursuant to the notice under Sections 60/122 of the D.P. Act read with Section 350 Cr.P.C., inasmuch as, given reply of the notice without getting it forwarded from the higher officer/official.

Learned counsel submits that on two dates petitioner was on earned leave. Be that as it may, I am of the view that learned Additional Sessions Judge ought not have passed specific directions that DCP shall not handover the investigation of sessions triable case to the petitioner for one year. He could have forwarded the order indicating the lapses on the part of petitioner in carrying out the investigation with the directions to the DCP concerned to take appropriate disciplinary action, if required, in accordance with law. Accordingly, the direction that petitioner be not handed over investigation for a year is set aside. Concerned DCP shall look into the matter and take appropriate action, in accordance with law, if he finds lapses on the part of petitioner in carrying out the investigation.

Petition is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

AUGUST 21, 2018
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