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

Date of Decision: 13.11.2019

+ W.P.(CRL) 773/2019 & CRL.M.A. Nos.9094/2019, 9095/2019, 9123/2019, 9124/2019 & 9125/2019

COURT ON ITS OWN MOTION Petitioner

Through: Court on its own motion.

versus

STATE & ANR. Respondent

Through: Mr. Rahul Mehra, Standing Counsel (Crl.) with Mr. Chaitanya Gosain, Adv. for State.

Mr. Amit Sharma, SPP (NIA) with Mr. Ahmad Ziad, Adv. and Ms. Ranchan, PP (NIA) for R-2/NIA. SI Prateek, P.S. Jaitpur, Delhi.

Insp. Vinay Kumar, ATO/Khajuri Khas.

SI Alok Kumar, Special Cell, Lodhi Colony.

Insp. Pankaj Kumar, P.S. Malviya Nagar.

SI Manmeet Singh, P.S. Nabi Karim.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

D.N. PATEL, CHIEF JUSTICE (Oral)

1. This Public Interest Litigation has been instituted by this Court on its own motion on receiving letters from the accused persons who are in Jail since long.

2. Learned counsels appearing for the respondents submitted that in the following 7 FIRs, out of total witnesses most of them have already been

examined. The details of those 7 cases are as under:-

S. No.	Name of the accused	FIR Details	Charge sheet filed on-	Charges Framed on-	Total Witnesses	Witnesses Examined	NDOH
1.	Mr. Ragmeet Singh s/o Mr. Kaka Singh	58/13 u/s 21/29 NDPS Act dtd. 17.12.2013 PS Special Cell	09.06.14	25.02.15	28	17	18.12.2019
2.	Mr. Shahjahan Mr. Sajid Mr. Sattar	22/14 u/s 21/22/29 NDPS Act dtd. 21.05.15 PS Special Cell	14.11.14	23.07.15	26	18	19.12.2019
3.	Mr. Santosh w/o Mr. Tejpal	303/15 u/s 302/120B IPC dtd. 02.04.15 PS Alipur	04.07.15	26.08.16	52	7	03.02.2020
4.	Mr. Satpal @ Satte Tyagi	228/16 u/s 302/364/201/34/120 B IPC dtd. 04.03.16 PS Khajuri Khas	02.06.16	11.07.16	35	30	23.01.2020
5.	Mr. Raj Kumar s/o Sri Shoraj	217/10 u/s 302 IPC dtd. 13.10.10 PS Jaitpur	10.01.11	18.02.11	34	33	18.11.2019
6.	Mr. Shahbuddin	456/15 u/s 302/34 IPC dtd. 04.09.15 PS Nabi Karim	01.02.15	20.01.16	21	18	23.12.2019
7.	Mr. Shankar @ Rahul	894/14 u/s 363 IPC dtd. 14.07.14 PS Malviya Nagar	22.12.14	15.01.15	17	14	23.11.2019

3. Similarly, learned counsel appearing on behalf of respondent No.2/NIA submitted that for the remaining two accused, namely, Ujair Ahmed, charge sheet in RC Case No.6/2012/NIA/DLI has been filed before the Special Judge, NIA. In this case, there are total 16 accused. A charge sheet under Sections 17/18/19/38(2)/39(2)/40(2) of the Unlawful Activities (Prevention) Act, 1967 has been filed. The case is at finalization of the charges stage. So far as second accused, namely, Imran Khan is concerned,

charge sheet in RC Case No.14/2015/NIA/DLI has already been filed before the Special Judge, NIA. In this case, there are in all 19 accused. A charge sheet under Sections 17/18/18B/23/38/39 and 40 of the Unlawful Activities (Prevention) Act, 1967, Section 120B of the Indian Penal Code and Sections 5 and 6 of the Explosive Substances Act, 1908 has been filed. This case is already at finalization of the charges stage and the prosecution has already concluded arguments on finalization of the charges.

4. In view of the aforesaid submissions and also looking to the fact that the cases against the aforesaid accused persons are already going on in the Trial Court and in most cases several witnesses have already been examined, we see no reason to further monitor this petition. We expect from the Special Judge, NIA to finalize the charges and to proceed with the cases of NIA Act at the earliest.

5. With these observations, this writ petition is disposed of. All the pending applications also stand disposed of accordingly.

6. Copy of the order be sent by the Registry of this Court to the Special Judge, NIA where the aforesaid two cases i.e. RC Case No.6/2012/NIA/DLI and RC Case No.14/2015/NIA/DLI are going on.

CHIEF JUSTICE

C.HARI SHANKAR, J

NOVEMBER 13, 2019

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