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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 833/2024**
KAPIL MANN @ KALLU Petitioner
Through: **Mr.Akshay and Ms.Shivangi**
Shokeen, Advocates.

versus

STATE OF NCT OF DELHI Respondent
Through: **Mr.Yasir Rauf Ansari, ASC (Crl.)**
with Mr.Alok Sharma and Mr.Vasu
Agarwal, Advocates alongwith SI
Mahendra, PS Narela.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **12.03.2024**

CRL.M.A. 7758/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL.) 833/2024

1. Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner with the following prayers:

"i. the Ld. ASJ/Special Judge, North, Rohini Courts, Delhi to frame the Charges, without any further delay i.e. on the next date of hearing i.e. 21.03.2024 under IPC in SC No.55/2020, titled as "State vs Kapil Mann @ Kallu" in F.I.R. bearing no. 401 of 2019, registered at Police Station: Narela, New Delhi on 08.09.2019 under Section 302/120B/34 of IPC & 25/27 Arms Act;

ii. the Ld. ASJ/Special Judge, North, Rohini Courts, Delhi to expedite the trial of the present case."



2. Issue notice. Learned ASC for the State appears on advance notice and accepts notice.
3. Learned counsel for the petitioner submits that despite filing of charge-sheet in the year 2019, charges are yet to be framed on account of receipt of FSL/Ballistic report.
4. Learned ASC for State informs that notice has already been issued by the learned trial court to Director, FSL to expedite result, which is expected to be received.
5. Considering the facts and circumstances, Director, FSL is directed to ensure that FSL/Ballistic report pertaining to FIR No.401/2019, under Sections 302/34 IPC & Sections 25/27 Arms Act is positively filed before learned trial court within a period of four weeks, from the date of this order. Also learned Trial Court is directed to consider the plea made by learned counsel for the petitioner, for framing of charges pending receipt of FSL/Ballistic report.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy this order be forwarded to the Director, FSL as well as learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J

MARCH 12, 2024/v