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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1156/2018, CRL.M.A. 4608/2018**
STATE

.....Petitioner
Through: Mr. Amol Sinha, Ld. ASC for the
State with Insp. Kishore Kumar P.S.
South Rohini and ACP Rajbir Singh
ACP/Sultan Puri.

versus

BHIM SINGH

.....Respondent
Through: Mr. Anil Pruthi and Mr. A.K.
Rajvanshi, Advocates.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
28.03.2025

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1. A Petition under Section 482 Cr.P.C has been filed on behalf of the Petitioner to challenge the Orders dated 09.02.2018, 14.03.2017, 16.01.2018, 01.02.2018 and 05.02.2018 of the learned ASJ in FIR No.987/2005 under Section 302 IPC.
2. It is submitted on behalf of the State that FIR No.987/2005 under Section 302 IPC had been registered against the Respondent for allegedly having shot his daughter and son-in-law. The daughter died while the son-in-law survived and he is now permanently settled in Switzerland. He is the star witness in this case. However, since the witness was not willing to come to India, the learned Trial Court constituted a Commission for recording the statement of the star witness Mr. Saranjeet Singh (citizen of



Switzerland), as the Swiss Government has declined the request to examine the witness through Video Conferencing.

3. It is submitted that despite efforts, the requisite permissions are not being given for the Commission to travel to Switzerland as there is no Head under which the fund can be made available. However, efforts are being made consistently to ensure that the evidence of the witness can be recorded at the Indian Embassy located at Switzerland.

4. Considering that the present Petition pertains to examination of the star witness who is permanently located in Switzerland and who is not inclined to come to India for recording of the statement and the efforts are being made by the State to work out the mechanism for recording of the statement of the witness through video conferencing or through Embassy of India. The present Petition is disposed of with liberty to the State to approach the learned Trial Court for the alternate mechanism for recording of the statement of the witness. However, there is no expression on the merits of the case which may again be considered by the Trial Court in case all efforts or means of recording of statement of the witness present in Switzerland, do not work out.

5. With these directions, the Petition stands disposed of along with pending Application(s).

NEENA BANSAL KRISHNA, J

MARCH 28, 2025/va