

State vs. Laxmi Kant Mandal etc.
SC No. 181/2013
FIR No. 91/2013
PS Karol Bagh

09.07.2019

Present: Sh. Pankaj Bhatia, Addl. PP for State.

Accused Laxmi Kant Mandal on bail with Sh. Atul Pandey,
Advocate.

Accused Hardadhan Samant @ Haru on bail with Sh.
Rakesh Malhotra and R. K. Tripathi, Advocates.

Accused Rakesh Kumar on bail with Sh. Anil Kumar,
Advocate.

No witness is present. Investigating Officer is also not present. Request has been sent by the IO seeking exemption from personal appearance on the ground that he has to appear in a bail matter at Rohini Courts.

Be awaited.

(Dr. Kamini Lau)

Addl. Sessions Judge-02 (Central)
Tis Hazari Courts, Delhi / 09.07.2019

12:00 Noon

Present: Sh. Pankaj Bhatia, Addl. PP for State.

Accused Laxmi Kant Mandal on bail with Sh. Atul Pandey,
Advocate.

Accused Hardadhan Samant @ Haru on bail with Sh.
Rakesh Malhotra and R. K. Tripathi, Advocates.

Accused Rakesh Kumar on bail with Sh. Anil Kumar,
Advocate.

ATO Police Station Karol Bagh SI Narayan Ojha is present. I am informed that the IO SI Manish Kumar Tyagi has refused to come to the Court on the pretext that he is busy with some work assigned to him by the DCP but he has refused to disclose the said work. Earlier the court was informed that the IO was busy in some other case. I may note that contradictory oral informations are coming with regard to the non appearance of the IO. This being the background, the DCP concerned to appear in person at 3:00 PM.

Be awaited.

(Dr. Kamini Lau)

Addl. Sessions Judge-02 (Central)
Tis Hazari Courts, Delhi / 09.07.2019

2:30 PM

Present: Sh. Pankaj Bhatia, Addl. PP for State.

Accused Laxmi Kant Mandal on bail with Sh. Atul Pandey,
Advocate.

Accused Hardadhan Samant @ Haru on bail with Sh.
Rakesh Malhotra and R. K. Tripathi, Advocates.

Accused Rakesh Kumar on bail with Sh. Anil Kumar,
Advocate.

The IO SI Manish Kumar has now appeared. He submits that DCP Sh. Gaurav Sharma had assigned him some work due to which reason he could not appear in the court. I am sure that no senior officer would ask any Investigating Officer not to appear in the court in a pending trial matter. It is evident from the record that the conduct of the Investigating Officer SI Manish Kumar has been very casual and today

also he is taking an excuse that the summons of public witnesses were received by him in the month of July itself due to which reason he could not serve them. The alternate addresses of the public witnesses are not on record as evident from the list of witnesses and no efforts have been made by the IO to serve the witnesses on alternate addresses which appears to be deliberate. SI Manish Kumar is asked to show cause why the adjournment cost (under **Section 309 Cr.PC**) be not imposed upon him for his failure to secure the presence of public witnesses duly summoned.

Be awaited.

(Dr. Kamini Lau)

Addl. Sessions Judge-02 (Central)
Tis Hazari Courts, Delhi / 09.07.2019

3:30 PM

Present: Sh. Pankaj Bhatia, Addl. PP for State.

Accused Laxmi Kant Mandal on bail with Sh. Atul Pandey,
Advocate.

Accused Hardadhan Samant @ Haru on bail with Sh.

Rakesh Malhotra and R. K. Tripathi, Advocates.

Accused Rakesh Kumar on bail with Sh. Anil Kumar,
Advocate.

IO SI Manish Kumar has filed his explanation. I am not satisfied by the explanation given by the IO. An adjournment has been compelled upon this court due to the conduct of this IO who was not present in the court in the pre-lunch session. Insp. Praveen Vats SHO PS Samaypur Badli is present and prays for a lenient view against the IO SI Manish Kumar. Subject to cost of Rs.500/- imposed upon the IO

SI Manish Kumar to be deposited in the DLSA, adjournment is granted on request of the IO. The receipt regarding deposit of cost be placed before this court on next date. All the public witnesses be summoned through the Investigating Officer for next date. Case be listed for PE on **03.09.2019**.

(Dr. Kamini Lau)

Addl. Sessions Judge-02 (Central)
Tis Hazari Courts, Delhi / 09.07.2019