

SC No.27850/2016
FIR No.75/2013
PS Kotwali
State vs. Mahesh Kumar etc.

20.08.2025

Present: Sh. Manish Kumar, learned Addl. P. P. for the State.
Sh. N. K. Jauli, learned LAC for accused No.1 and 3.
Sh. Shubham Mishra, learned Counsel for accused No.2 and 4.
Accused No.1 and 2 in person on bail.
Accused No.3 Rahul Tyagi is produced from Dasna Jail through VC.
Accused No.4 Sonu Tyagi is produced from Una Jail, HP through VC.

Sh. Jagdeep Chaudhary, Deputy Superintendent, Una Jail through VC has submitted that Guard for production of accused No.4 Sonu Tyagi was not given by Sh. Amit Yadav, IPS, Superintendent of Police, District Una, Himachal Pradesh. It noted by Sh. Amit Yadav, IPS, Superintendent of Police, District Una, Himachal Pradesh that some person are trying to help accused No.4 Sonu Tyagi to abscond from custody. However to this effect no person is shown to have been arrested or detained by SP, Una District, HP and merely on the basis of such statement the accused No.4 Sonu Tyagi is not produced before this Court who was required to be identified by the witness present. At least some basis should

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have been provided for not providing Guard for production of accused No.4 or that some action was taken for such apprehension of such persons helping accused No.4 in absconding. In such view of the matter Sh. Amit Yadav, IPS, Superintendent of Police, District Una, Himachal Pradesh be summoned through Director General of Police, Nigam Vihar, Shimla, Himachal Pradesh to submit that why despite directions the accused No.4 Sonu Tyagi is not produced when his presence was mandatorily required for recording of evidence in this matter and for identification of accused by the witness. With these directions accused No.4 Sonu Tyagi is directed to be produced physically before the present Court by providing necessary Guard in this respect.

PW-7 cross examined and discharged.

Let production warrants be issued against accused No.2 and 3 for their physical appearance before the Court on the next date of hearing.

Let witness Vijay Puri be summoned for PE on 20.09.2025.

(Joginder Prakash Nahar)
ASJ (FTC)-1,
Central District, Tis Hazari Courts,
Delhi/20.08.2025