

FIR No. 545/15
PS : Kotwali
State Vs. Suraj Etc.

17.05.2018

Present: Sh. Wasi-Ur-Rehman, Addl. PP for State.

Accused Suraj, Lucky and Vinod @ MP are
proclaimed offenders.

Accused Avdesh in JC, with JC Sh. S. B. Shaily,
counsel from DLSA.

Statement of PW3- complainant recorded.

Today complainant has not supported the prosecution
version so far as identity of the accused is concerned.

Main stay of the prosecution so far as Avdesh
accused is concerned was on the statement of complainant
as only he could identify the offenders involved in the
commission of the crime.

When complainant, as PW3, has not identified
Avdesh as one of the offenders involved in commission of
crime and it is submitted on behalf of the State that nothing
incriminating was recovered from the accused, examination
of remaining witnesses is not going to improve fate of the
case so far Avdesh accused is concerned, and as such as
regards, Avdesh accused, prosecution evidence is closed.

Since, complainant has not identified Avdesh as one of the offenders and there is no other evidence on record against him to connect with present crime, recording of his statement under Section 313 CrPC is dispensed with.

Vide separate judgment of even date, Avdesh accused stands acquitted in this case. Avdesh accused is directed to furnish personal bond and surety bond in the sum of Rs.20,000/- under Section 437A CrPC.

Be put up after lunch for furnishing of bonds.

(Narinder Kumar)
Special Judge-2:NDPS Act(Central)
Tis Hazari Court:Delhi
17.05.2018

Present: As above.

It is submitted by Avdesh and counsel from DLSA that Avdesh is unable to furnish any surety.

Keeping in view the earlier reports available on record and that Avdesh accused is unable to furnish any surety, he is allowed to furnish only personal bond in the sum of Rs.20,000/- under Section 437A CrPC.

Personal bond furnished and accepted.

As regards, accused persons Suraj, Lucky and Vinod, who are proclaimed offenders, learned Addl. PP submits that only following witnesses are to be examined under Section 299 CrPC:-

1. PW Dr. Ruby Kumari (cited at Sl. No. 2).
2. PW HC Sukhbir (cited at Sl. No. 6)
3. PW Ct. Harish (cited at Sl. No. 7).
4. PW SI Pankaj (cited at Sl. No. 8).

They be summoned for recording of their evidence for the purpose of Section 299 CrPC.

PW Dr. Ruby Kumari (cited at Sl. No. 2) and PW HC Sukhbir (cited at Sl. No. 6) be summoned for **02.06.2018**.

PW Ct. Harish (cited at Sl. No. 7) and PW SI Pankaj (cited at Sl. No. 8) be summoned for **04.06.2018**.

(Narinder Kumar)
Special Judge-2:NDPS Act(Central)
Tis Hazari Court:Delhi
17.05.2018