

STATE VS. RAJESH @ MARRY ETC.

PS KOTWALI

FIR NO 823/15

S.C. NO.13/16

14.01.2019

File taken up today on an application moved on behalf of accused, Rajesh @ Merry seeking directions to the Jail Superintendent Tihar, Delhi for shifting the accused in Mandoli Jail.

Present: Shri K.D.Pachori, Ld. Substitute Addl. PP for the State.

Ld. Counsel for the accused, Rajesh Merry.

Report called from the concerned Jail Superintendent to the said application filed.

It has been argued on behalf of the accused that the accused, Rajesh Merry has been shifted to Tihar Jail on 17.11.2018. It has further been argued that Smt. Barkha, wife of the accused has been informed by her husband i.e. accused, Rajesh @ Merry through telephonic call that he is in a dangerous condition in the Central Jail, Tihar Delhi, so the present application has been moved for transfer of the accused to Mandoli Jail from Tihar Jail Delhi. It has been prayed that the present application may be allowed and necessary directions to the Jail Superintendent be given to transfer the accused Rajesh @ Merry to the Mandoli Jail as he has apprehension of his life in Tihar Jail.

Contd..2/-

-2-

On the other hand, Ld. Addl. PP for the State has argued that Central Jail Mandoli is bound for such UTPs whose cases pertain to Karkardooma Courts only and the said accused, Rajesh @ Merry S/o Raj Kumar is facing trial in multiple cases before the Courts of Karkardooma and Tis Hazari Courts. It has further been argued that the accused is presently lodged in this jail as per their lodging policy. It has further been argued that regarding the complaint by the wife of the accused for the apprehension of accused in jail, it is stated that the said accused is safe and secure in Tihar Jail, Delhi. It has further been argued that the accused has not filed any complaint before the concerned Jail Superintendent regarding any threat or apprehension in Tihar Jail.

Keeping in view the facts and circumstances of the case, nature of offence committed by the accused and in view of the report filed on behalf of Jail Superintendent, Tihar Jail No.4, that the accused is safe and secure in Tihar Jail, Delhi, there is no need to transfer the accused, Rajesh @ Merry to Mandoli Jail. Application moved on behalf of accused, Rajesh @ Merry deserves to be dismissed. Accordingly, the present application is dismissed.

(RAMESH KUMAR)
SPECIAL JUDGE(NDPS)-1 CENTRAL
TIS HAZARI COURTS, DELHI

14.01.2019

STATE VS. RAJESH @ MARRY ETC.

PS KOTWALI

FIR NO 823/15

S.C. NO.13/16

14.01.2019

Present: Shri K.D.Pachori, Ld. Substitute Addl. PP for the State.

Accused Rajesh @ Marry is produced from J/C (but on bail in this case)

Remaining accused are present on bail.

Proxy counsel Shri Deepanshu Gupta for Shri Chetanya Puri Legal Aid counsel for accused Divesh @ Dipu (A7).

Ld. Counsel Shri Parveen Kumar for accused A-4, A-5, A-2 and A-6

Shri Pawan Sharma, Advocate for all the accused except accused A-1, A-3 and A7.

Proxy counsel Ms. Supriya Tomar for the accused A-3.

Regular Id.Addl. PP for the State is not available.

Witnesses SI Ayaz Khan and SI Abdul Qadir are present and discharged for today on the request of Substance Ld. Addl. PP for the State on the ground that he needs assistance of the IO concerned for examination of these two witnesses.

Contd..2/-

-2-

Issue notice to the IO concerned for the next date of hearing.

Let the witnesses be summoned for the next date of hearing.

Put up for PE on 11.03.2019.

(RAMESH KUMAR)
SPECIAL JUDGE(NDPS)-1 CENTRAL
TIS HAZARI COURTS, DELHI
14.01.2019