

SC No. 28374/2016
STATE Vs. Sunil @ Kesto & Ors.
FIR No. 491/2015
PS :Subzi Mandi

19.11.2024

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Accused Rajesh, Raghav @ Rahul and Sunil @ Kesto are present on bail.
Accused Sunil @ Kalu and Manish @ Munshi produced from J.C.
Accused Karan @ Raj Kumar @ Pandit produced from JC (**although on bail in present case**).
Accused Rakesh @ Sunny is absent.
Sh. Animesh Sharma and Ms. Anshika Sethi Ld.
Counsel for accused Sunil @ Kalu.

On the last date of hearing process under Sec. 82 Cr.PC has been issued against accused Rakesh @ Sunny. The process under Sec. 82 Cr.PC has been executed and report in this regard has been filed on behalf of SHO PS Subzi Mandi. However only photocopy of newspapers published in Hindi and English has been placed on record and original newspapers in which the process under Sec. 82 Cr.PC was published have not been placed on record. On the perusal of Hindi newspaper 'Sach Kahun', it is revealed that in the publication of process under Sec. 82 Cr.PC, the date for appearance of accused Rakesh @ Sunny before this court has been mentioned as 19.11.2023 instead of 19.11.2024 and same has been correctly published in English newspaper 'The Indian Express'. Thus, the process under Sec. 82 Cr.PC has not been published properly.

Let the report be returned back to SHO PS Subzi Mandi.

In view of the circumstances, let a fresh written proclamation be published against the accused Rakesh @ Sunny S/o Sh. Jaswant Singh, R/o 275/16, Gulab Bagh, Uttam Nagar, Delhi and he is directed to appear before this court on 30.01.2025 at 10.00 a.m.

A copy of this proclamation be also published in two Daily Newspapers (Hindi and English) which are in circulation in the local area.

SHO is directed to comply with all the conditions laid down under Sec. 82 Cr.P.C. as well as the law laid down by the Hon'ble High Court of Delhi and Hon'ble Apex Court with respect to the execution of process under Sec. 82 Cr.P.C.

Put up for filing of report on the execution of process under Sec. 82 Cr.P.C., appearance of accused Rakesh @ Sunny in pursuance of proclamation and further proceedings on 30.01.2025.

(Virender Kumar Kharta)
ASJ/FTC-02(CENTRAL)
TIS HAZARI COURTS:DELHI :19.11.2024