

New Case no. 168/2018

State Vs. Sandeep Shah

FIR no. 640/2017

PS : Punjabi Bagh

18.03.2019

PW-5, Statement of Ct. Hari Ram Mishra, No. 7567/DAP, 3rd Batalian, Vikaspuri, Delhi.

On S.A.

On 09.12.2017, I was posted as Constable in PS Punjabi Bagh. On that day, I have joined the investigation of case FIR No. 681/17, PS Punjabi Bagh with SI Nitin. I alongwith SI Nitin when reached at Park near Gurudwara Shivaji Park, we both heard the voice "Arjun Pakro Pakro" as one boy was coming towards us while running. Accordingly, at the instance of IO, I apprehended the said person whose name later on revealed as Sandeep Shah S/o Ashok Shah. IO made inquiries from the accused regarding the facts of the case FIR No. 681/17 and arrested the accused. After arrest, IO also recorded the disclosure statement of the accused in the said case and while recording the disclosure statement accused has confessed about the offence committed in the present case. Thereafter, IO SI Nitin informed the IO of the present case i.e. ASI Baljor Singh. IO Baljor Singh came in the PS and recorded my statement U/S 161 Cr.P.C. in this regard. I can identify the accused if shown to me.

At this stage, accused is shown to the witness who has

correctly identified the accused.

XXXX by Sh. Haneef Mohammad, Ld Counsel for accused.

When the accused was apprehended near the park, lot of public persons gathered on the spot. It was around 08.15 pm when accused was apprehended. Accused was apprehended on the road. Accused gave the disclosure statement on the road. When the disclosure statement of the accused was written by the IO, complainant Anil was present there, however, public persons were standing by side at some distance. IO made the writing work while sitting on the ground. Accused was also sitting on the ground while giving the disclosure statement. IO SI Nitin obtained my signatures on the disclosure statement written in case FIR No. 681/17, PS Punjabi Bagh. IO also obtained my signatures on the arrest memo as well as personal search memo in the said case at the spot. The copy of disclosure statement is Mark DX bearing my signatures at point A. After the arrest, accused was taken to PS and was medically examined thereafter.

We reached at the PS about 09.00 pm and after 5-7 minutes, IO ASI Baljor Singh reached there. IO ASI Baljor Singh recorded my statement and prior to that he also made inquiries from the IO SI Nitin. I cannot say with certainty whether statement of SI Nitin was recorded by the IO U/S 161 Cr.P.C. in this case.

I have not stated to the IO of this case regarding the voice as stated by me in my chief that I alongwith SI Nitin when reached at Park near Gurudwara Shivaji Park, we both heard the voice "Arjun Pakro Pakro" as one boy was coming towards us while running.

I have not stated to the IO of this case that I apprehended

the accused at the instance of IO SI Nitin.

It is correct that no public person was made as a witness at the time of arrest of the accused in case FIR No. 681/17. It is wrong to suggest that accused was not apprehended at the place deposed by me herein above by SI Nitin and myself. It is further wrong to suggest that accused did not give any disclosure statement as stated by me. It is wrong to suggest that IO himself has written the contents of disclosure statement Mark DX as his own and force the accused to sign the same while sitting in the PS. It is wrong to suggest that I did not join any proceedings of this case as well as in case FIR No. 681/17 and I have been made a witness only to fill up the chain of investigation by the IO. It is wrong to suggest that I have deposed falsely at the instance of IO only to support the prosecution false story.

The spot where the accused was apprehended was at a distance of 10ft or 15ft from the said park. I did not go inside the park before or after the arrest of the accused. I have visited the said park prior to arrest of the accused as police station was situated near the park. There is no specific name of the said Park but the said park is known as Shivaji Park near Gurudwara. The area of the said park must be around 300-400 sq yards. I did not notice any person while coming from the Park as I was busy in apprehending the accused. As far as I remember, there are two gates of the said park. It is correct that people use to visit the said park usually.

Disclosure statement of accused was written by the IO himself. No other police officer visited the spot in between accused was arrested near the park. Arjun did not accompanied us to the PS.

I cannot tell the exact distance between F-Block, H No. 188 and F-Block, H No. 90. It is wrong to suggest that the house of accused and the complainant situated near each other and known to each other.

IO did not record any statement of the complainant or any other public person in this case in my presence. It is wrong to suggest that I am deposing falsely.

RO & AC

(Pooran Chand)
ASJ-02,West/THC/Delhi
18.03.2019

New Case no. 56586/16

State Vs. Sanjay @ BC

FIR no. 494/2018

PS : Punjabi Bagh

18.03.2019

Present : Ld Substitute Addl. PP for State.

Both accused produced from JC.

Sh. Mohd. Sadiq, Ld Counsel for accused Sanjay.

Sh. Pratap Singh, Ld Counsel for accused Ashok.

PW-15 Dr. Munish Wadhawan present, examined and discharged.

Summons sent to PW DO SI Kailash Chand and Dr. Sanjay not received back.

Let notice be issued to SHO concerned as well as Incharge V-B why the summons not received back as it is a time bound case.

IO is also not present as he has sent request.

At this stage, it is pointed out by Ld Defence Counsel that on previous date he has moved an application for calling report regarding the beatings given to the accused Ashok by the other inmates in the Jail which was sent vide diary no. 2/07.03.19. Report has not been received. Let fresh report be

called from Superintendent Jail for the next date.

In view of the fact that it is a time bound case and trial is to be completed by the end of April, all the prosecution witnesses be summoned for next date.

Put up the matter on 23.03.19 for PE.

(Pooran Chand)
ASJ-02,West/THC/Delhi
18.03.2019

New Case no. 57767/2016
State Vs. Ravinder @ Akash etc
FIR no. 270/2009
PS : Nihal Vihar

18.03.2019

Present : Ld Substitute Addl. PP for State.
Accused Ravinder @ Akash not produced from
Central Jail, Ranchi.
Sh. R.R. Jha, Legal Aid Counsel for accused
Ravinder @ Akash.

Letter No. 1863 dated 02.03.2019 received from
Central Jail, Virsa Munda, Hotwar, Ranchi. Letter perused.

In the letter Superintendent Jail has mentioned
that permission was applied from concerned Court, Ranchi
where the case of accused is pending and have stated that no
such permission could be obtained. From the contents of this
letter, it is not cleared whether the permission has been declined
by the concerned Court or not. Record also speaks that on
previous various dates production warrants were ordered to be
issued to produce accused Ravinder Kumar @ Akash before this
Court but of no avail.

Under these circumstances, Superintendent Jail,

Central Jail, Central Jail, Virsa Munda, Hotwar, Ranchi is directed to appear in person alongwith record of the applications by which permission have been applied in the concerned Court to produce the said accused before this Court and the order on the said applications passed by the concerned Court on or before 06.05.2019. In the meantime, fresh production warrants be issued to Superintendent Jail, Central Jail, Virsa Munda, Hotwar, Ranchi to produce accused Ravinder @ Akash before this Court on 06.05.2019.

It is made clear that if the accused is produced on next date of hearing then Jail Superintendent is not required to appear in person. Notice of the Jail Superintendent and production warrants be served by the SHO concerned by sending special messenger and detailed report be filed before next date of hearing.

(Pooran Chand)
ASJ-02,West/THC/Delhi
18.03.2019

New Case no. 56181/16
State Vs. Jagdish @ Babloo etc
FIR no. 481/2010
PS : Hari Nagar

18.03.2019

Present : Ld Substitute Addl. PP for State.
Accused Pradeep @ Pillu present on bail.
Accused Jagdish @ Babloo is absent.

Production warrants of accused Jagdish @ Babloo
received back with report that accused Jagdish @ Babloo has been
shifted to another Jail at Bhadra, Rajasthan.

Issue production warrants of accused Jagdish @
Babloo to Jail at Bhadra, Rajasthan.

Put up on 06.05.2019.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 56534/2016
State Vs. Mukesh Kumar Soni etc
FIR no. 486/2013
PS : Tilak Nagar

18.03.2019

Present : Ld Substitute Addl. PP for State.
Accused Ravinder @ Akash not produced from
Central Jail, Ranchi.
Remaining three accused produced from JC.
Sh. R.P.Duggal and Sh. Surinder Mual,
Ld Counsel for accused Ravinder Rathi.
Sh Anil Kaushik, Ld Counsel for accused Abhishek
Sh. Vaibhav Aggarwal, Ld Counsel for accused
Mukesh Soni.
Sh. Sparsh Chaudhary, Ld Counsel for accused
Rajesh Singh Lamba.

In the connected case, report received vide letter
no. 1863 dated 02.03.2019 from Superintendent Jail explaining
the reason for not producing the accused before this Court. Let
fresh production warrants be issued to accused Ravinder for
06.05.2019.

Notice of the Jail Superintendent and production
warrants be served by the SHO concerned by sending special
messenger and detailed report be filed before next date of
hearing.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 58117/16
State Vs. Sunil Kumar Meena
FIR no. 253/2016
PS : Moti Nagar

18.03.2019

Present : Ld Substitute PP for State.
Accused Sunil, Satish and Manish are present on bail.
Accused Rishu produced from JC but On bail in this case.
Accused Rohit absent.

Notice of surety received duly served but surety not present. NBWs of accused Rohit received back with report that he has left the given address. As per report of the process server, accused is in JC in case FIR No. 590/2018, U/S 336/452/506/34 IPC and 25/54/59 Arms Act from PS Rajouri Garden.

Let production warrants be issued against accused Rohit to produce him before this Court on 06.04.2019.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 34/2019
State Vs. Sunil Kumar @ Sonu
FIR no. 648/2015
PS :Ranhola

18.03.2019

Present : Ld Substitute PP for State.
All accused persons on bail with Ld Counsel
Sh.Prashant Tomar.

Part arguments heard.

At this stage, Ld Counsel for accused persons
seeks some more time to address further arguments.

Put up for further arguments on the point of
charge as last and final opportunity on 24.04.2019.

(Pooran Chand)
ASJ-02,West/THC/Delhi
18.03.2019

New Case no. 39/2019
State Vs. Surender Pal @ Azad
FIR no. 649/2015
PS :Ranhola

18.03.2019

Present : Ld Substitute PP for State.
All accused persons on bail with Ld Counsel
Sh.Prashant Tomar.

Part arguments heard.

At this stage, Ld Counsel for accused persons
seeks some more time to address further arguments.

Put up for further arguments on the point of
charge as last and final opportunity on 24.04.2019.

(Pooran Chand)
ASJ-02,West/THC/Delhi
18.03.2019

New Case no. 56243/16

State Vs. Kripal Singh

FIR no. 114/2010

PS : Khyala

18.03.2019

Present : Ld Substitute Addl. PP for State.

Accused on bail with proxy counsel Sh. Yogesh
Kumar for Sh. Tanmay Nagar.

PW-27, Insp. Anil Kumar Chauhan not present as
he has sent request that he has gone in the training program.

Cost of Rs.10,000/- imposed on previous date not
deposited by the accused. Accused seeks one week time to
deposit the same.

Let PW-27, Insp. Anil Kumar Chauhan be called
for cross examination on 06.04.2019 and also for deposit of
cost.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 168/2018

State Vs. Sandeep Shah

FIR no. 640/2017

PS : Punjabi Bagh

18.03.2019

Present : Ld Substitue Addl. PP for State.
Accused produced from JC.
Sh. Haneef Mohammad, Ld Counsel for accused.
IO SI Baljor Singh in person.
PW-5 Ct. Hari Ram Mishra present, examined and
discharged.

Other two public witnesses namely Naresh and
Anil are present but discharged unexamined at the request of Ld
Substitute Addl. PP for State as he is busy in the work of his own
Court as well as other Court of which the work is assigned to
him to be looked into.

At this stage, Ld Defence Counsel submits that
bail application of the accused be also put up for hearing today.
Regular State Counsel is on leave today. Let this bail application
be put up for hearing on 20.03.2019 at 02.00 pm.

Put up the matter on 25.04.2019 for PE.

Public witnesses Naresh and Anil be summoned
for next date of hearing.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 335/2018

State Vs. Uttam

FIR no. 35/2018

PS : Mayapuri

18.03.2019

Present : Ld Substitue Addl. PP for State.
Accused on bail.

PW Sharda and Mukesh are present but discharged unexamined at the request of Ld Substitute Addl. PP for State as he is busy in the work of his own Court as well as other Court of which the work is assigned to him to be looked into.

Put up the matter on 23.05.2019 for PE.

Public witnesses Sharda and Mukesh be summoned for next date of hearing.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

CR No. 175/2017
Kaushal Pal Singh ve State & Anr.

18.03.2019

Present : Revisionist with proxy counsel Sh. Mayank Maini.
Sh. Aditya Aggarwal, Ld Counsel for respondent
alongwith respondent no.2.

Today case is fixed for reply and arguments on the revision. Ld Counsel for respondent submits that he do not wish to file any written reply and is ready to address arguments.

At this stage, proxy counsel for revisionist submits that main counsel is not available as he was under impression that today he will file reply.

Under these circumstances, put up the matter for arguments on revision on 15.04.19.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

CA No. 52/2018

Puneet vs State

18.03.2019

Present : Appellant in person with Ld Counsel Sh. Pradeep Chaudhary.

Ld Substitute Addl. PP for State.

Heard final arguments on appeal.

Ld Counsel for appellant submits that one week time be given to file written submissions to substantiate his arguments. Heard. Request allowed.

Put up on 28.03.2019 for filing written submissions with advance copy to the State.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 427/19

State Vs. Lokesh Garg

FIR no. 308/2015

PS : Mayapuri

18.03.2019

Present : Ld Substitute Addl. PP for State.

IO SI Surender Kumar in person.

Sh. Mukesh Sharma, Ld Counsel for applicant/
Complainant.

Sh. Bharat Gupta, Ld Counsel for non-applicant/
Accused.

At joint request, put up the bail application for
arguments on 27.03.2019.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 57115/16
State Vs. Puran @ Sumit etc
FIR no. 30/2013
PS : Mundka

18.03.2019

File taken up on bail application filed on behalf of applicant-accused Pardeep Mittal.

Present : Ld Substitute Addl. PP for State.
Sh. Chiragh Mudgal, Ld Counsel for applicant-accused.

It is argued by Ld Defence Counsel that accused is in JC since 2013. It is further argued that all the public witnesses have been examined in this case. It is further argued that on appreciation of evidence of all the public witnesses, there are material contradictions on the identification of accused. It is also argued that since all the public witnesses have been examined, there is no apprehension that accused will influence the witnesses and will hamper the trial and therefore, keeping in view the custody period of the accused, he be released on bail by imposing any condition.

Per contra, it is argued by Ld Counsel for State that at the stage of bail, Court is not duty bound to marshal all the evidence led by the prosecution minutely. Further many other witnesses are yet to be examined in this case. Qua the arguments of defence that there are material contradictions on the identification of the accused, it is argued on behalf of State that PWs have identified both the accused persons and categorically stated the roles of each accused in the commission of crime. It is further argued that murder has been committed in a gruesome manner and in view of the gravity of offence, accused is not entitled for bail. It is also argued that accused is also involved in other case which is pending in this Court.

In rebuttal, Ld Counsel for applicant-accused submits that the other case pending before this Court in which accused is facing trial for murder is at the fag end. It is also argued that the arguments of State that witnesses have identified the accused is against the record.

I have considered the arguments advanced at bar from both the sides and have perused the record as well as evidence lead by the prosecution.

It is a matter of fact that accused is also facing trial in murder case which is pending in this Court and the other cases of the similar nature pending in other States (which are denied

by the Ld Defence Counsel) and also the fact that many witnesses are yet to be examined in this case, this Court is not inclined to grant bail. Hence bail application of accused Pardeep Mittal stands dismissed. Nothing said herein shall tantamount any expression on the merits of the case.

Copy of the order be given dasti.

Put up the matter on date fixed i.e. 22.04.2019 for PE.

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. 56586/16

State Vs. Sanjay @ BC

FIR no. 494/2018

PS : Punjabi Bagh

18.03.2019

PW-15, Statement of Dr. Munish Wadhawan, Specialist, Forensic Medicine, SGM Hospital, Delhi.

On S.A.

On 24.06.2014 I was posted as Junior Specialist at SGM Hospital. On that day, Insp. Ajmer Singh brought body of deceased Manoj Kumar, 36 years, Male with alleged history of physical assault on 23.06.2014. After perusing the inquest report and annexed report, I conducted postmortem on the dead body on 24.06.14 and there I prepared postmortem detailed report no. 585/14 which was typed out by me. Contents of it may be read as part of my evidence. Thereafter, I handed over the PM report to IO alongwith 13 inquest papers, sealed blood sample in gauge piece, sealed clothes and sample seal of department. Cause of death in my opinion was cerebral damage as a result of blunt force/object diverted upon head. All injuries were antemortem in nature. In this regard, my report (running in 4 pages) is now Ex.PW-15/A (Colly) bearing my signatures at points A on each page.

On 04.07.2014, Insp. Ajmer Singh moved an application for subsequent opinion regarding the weapon of offence alongwith sealed white parcel duly sealed with seal of AS, seals were intact. On opening the parcel, red colour stone came out. After going through PM No. 585/14 and examining the said weapon of offence, I

opined that cerebral damage is possible with the stone examined or similar one. My detailed opinion in this regard is Ex.PW-15/B bearing my signatures at point A.

I can identify the case property if shown to me.

At this stage, MHC(M) produced the case property i.e. one sealed parcel duly sealed with the Court seal and is opened and one stone slab already Ex.P-4 is taken out and shown to the witness who correctly identified the same which was sent by the IO for subsequent opinion.

At this stage, MHC(M) produced the case property i.e. one sealed parcel no.10 duly sealed with seal of IM, FSL Delhi, seal broken and the envelope is opened which contains a white plastic Jar upon which a slip is pasted with white label showing the identification details and my signatures. Jar is opened and it contains brown colour underwear and is taken out and shown to the witness who correctly identified the same which was handed over to IO. Same is Ex.PW-15/X.

XXXX by Sh. Pratap Singh, Ld Counsel for accused Ashok.

It is correct that the deceased was not having any cloth on his body except underwear at the time of postmortem examination. It is correct that no stone was brought for any opinion at the time of postmortem. No videography of the postmortem was done. Injury No.1 mentioned in postmortem report may be possible with any blunt object or stone. It is wrong to suggest that I have given the opinion on the dictation of IO.

XXXX by Sh. Mohd. Sadiq, Ld Counsel for accused Sanjay @ BC.
I adopt cross examination conducted on behalf of accused Ashok.

RO & AC

(Pooran Chand)
ASJ-02, West/THC/Delhi
18.03.2019

New Case no. /16

State Vs.

FIR no.

PS :

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PW-

On S.A.

RO & AC

(Pooran Chand)
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State Vs.

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On S.A.

RO & AC

(Pooran Chand)
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18.03.2019