

State Vs. Naseem Ahmed & Ors.
CNR No.: DLCT01-016607-2021
SC No. 660/2021
FIR No. 98/2021
Under Section 307/411/120B/34 IPC
PS : Burari

09.10.2023

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Virender Singh Griwan, Advocate for all the
accused persons.
The accused persons, namely, Naseem Ahmed and
Amit Mehra are present.

For the reasons stated in the applications moved on
behalf of the accused persons, namely, Naved and Imran, they
are exempted from their personal appearance for today only.

As per the service report, it is observed that the
summons were served upon the witness only, through Whatsapp
mode. However, no report of physical service for the said
summons is forthcoming.

From a perusal of case records, it is observed that
Ld. Predecessor of this Court, on last date of hearing, had
observed that PW Raj Kumar, as per the service report on the
said date, was observed to be not residing at the given address.
Considering the same, it was incumbent on the service report to
at least specify the steps taken for fresh service on the given
address or in the alternate, to specify the reason of non-service of
summons physically to PW Raj Kumar, which has not been done
in the present case.

Accordingly, **issue fresh summons to PW Raj
Kumar**. It is directed that the process server should specify the
steps taken for physical service of the summons issued today.

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Further, the concerned SHO is directed to ensure that in future, steps are taken for physical service of the summons or in the alternate, when the service is carried only through Whatsapp mode, necessary affidavit is filed by the concerned persons to the said effect confirming the Whatsapp number of the witnesses.

The **concerned IO be also summoned for next date** of hearing.

List for PE on **06.11.2023**.

A copy of this order be marked to the concerned SHO to do the needful.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
09.10.2023