

State Vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 748/2021

FIR No. 30/21

P.S Darya Ganj

26.03.2025

Present : Mr. Amit Dabas, Ld. Addl. P.P. for the State.
Mr. Lakshay Dhillon, Ld. Proxy counsel for Mr.
Chetan Pangasa, Ld. Counsel for accused, namely,
Swapnil.
IO Inspector Ichha Ram is present.

PW HC Mohd. Javed and PW ASI Vinod Kumar are
present.

Request for exemption, received on behalf of PW
Rajeev Vashishta, Nodal Officer, Airtel on the ground that he is
stated to have been summoned in some other Court today. For
the reasons stated therein, exemption is allowed for today only.

Pursuant to the order passed on the last date of
hearing, medical status of the accused Swapnil has been received
from CJ-01, Tihar, Delhi. Copy thereof is supplied to Ld. Proxy
Counsel for the said accused.

Further, Ld. Addl. PP for the State has moved an
application under Section 311 Cr.P.C./Section 348 BNSS
seeking summoning of Sanfaraz as prosecution witness. Copies
thereof are retained on record.

The matter is passed over as the accused persons
have not been produced from judicial custody.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
26.03.2025

Contd...../-

At 12.25 p.m.

Present : Mr. Amit Dabas, Ld. Addl. P.P. for the State.
Mr. Vineet Kumar, Ld. Proxy counsel for Mr. Gaurav Bindal, Ld. Counsel for the accused, namely, Vijay Kumar, Farman and Arpit.
Mr. Chetan Pangasa, Ld. Counsel for accused, namely, Swapnil.
All the accused persons, namely, Farman, Vijay Kumar, Akash @ Hunny and Arpit have been produced from judicial custody.
Accused, namely, Swapnil has been produced from judicial custody from CJ-01, Tihar, Delhi (*through video conferencing mode*).
IO Inspector Ichha Ram is present.

Ld. Counsel for the accused, namely, Swapnil has submitted that he has received the copy of medical record of the accused and that nothing survives further in the present application. Accordingly, in view of the said submissions, the present application is *disposed off*.

Copy of application under Section 311 Cr.P.C./ Section 348 BNSS, moved on behalf of the accused persons has been supplied to Ld. Counsel for the accused Swapnil as well as to the remaining accused persons.

At this stage, request for exemption has been received on behalf of PW ASI Mohd. Javed on the ground that he is running on medical rest and is unable to get recorded his evidence today. For the reasons stated therein, exemption is allowed for today only.

PW-6 ASI Vinod Kumar is present.

Matter is passed over to be taken up at 02.00 p.m.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
26.03.2025

Contd...../-

At 03.00 p.m.

Present : Mr. Amit Dabas, Ld. Addl. P.P. for the State.
Mr. Vineet Kumar, Ld. Proxy counsel for Mr. Gaurav Bindal, Ld. Counsel for the accused, namely, Vijay Kumar, Farman and Arpit.
Mr. Shivam Sharma, Ld. Proxy counsel for Mr. Chetan Pangasa, Ld. Counsel for accused, namely, Swapnil.
All the accused persons, namely, Farman, Vijay Kumar, Akash @ Hunny and Arpit have been produced from judicial custody.
Accused, namely, Swapnil has been produced from judicial custody from CJ-01, Tihar, Delhi (*through video conferencing mode*).
IO Inspector Ichha Ram is present.

Ld. Addl. PP for the State has submitted that the proceedings against the order of the Ld. Predecessor Judge, challenging discharge of accused, Akash @ Hunny is pending adjudication before the Hon'ble High Court of Delhi and that the same is likely to be listed before the Hon'ble High Court of Delhi on 02.04.2025. Ld. Addl. PP for the State has submitted that the arguments on charge *qua* the said accused may be heard subsequent to the aforesaid date.

Further examination in chief of **PW-6 ASI Vinod Kumar** has been concluded and his cross-examination is deferred at the request of accused persons as their main counsel is not available today. Further, evidence of a vulnerable witness is to be recorded in case ***FIR No. 869/2023, State v. Pawan Kumar Singh & Ors.***

In the interest of justice, list for PE, further proceedings on supplementary charge-sheet as well as for arguments on the application under Section 311 Cr.P.C./ Section 348 BNSS on **16.05.2025**.

Contd...../-

PW HC Mohd. Javed, PW-6 ASI Vinod Kumar, PW Rajeev Vashishta, Nodal Officer, Airtel (S. No. 18) along with entire CDR/CAF records along with IO Inspector Ichha Ram be summoned for next date of hearing.

At request, accused Swapnil is permitted to join proceedings through video conferencing mode on the next date of hearing subject to the accused not disputing his identity in recording of evidence in absence of his physical appearance.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
26.03.2025