

State Vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 748/2021

FIR No. 30/21

P.S Darya Ganj

29.07.2025

Present : Mr. Amit Dabas, Ld. Addl.PP for the State.
Mr. Chetan Pangasa, Ld. Counsel for accused,
namely, Swapnil.
Accused, namely, Swapnil has been produced from
judicial custody from CJ-01, Tihar, Delhi (*through
video conferencing mode*).

PW Shashank Tyagi, Alternate Nodal Officer,
Vodafone Idea is present.

PW HC Mohd. Javed, PW W/Ct. Anamika, PW
Nodal Officer from Jio and IO Inspector Ichha Ram are not
present.

The matter is passed over as the accused persons,
namely, Farman, Vijay Kumar, Akash @ Hunny and Arpit have
not been produced from judicial custody.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
29.07.2025

At 12.25 a.m.

Present : Mr. Amit Dabas, Ld. Addl.PP for the State.
Mr. Gaurav Bindal, Ld. Counsel for the accused
persons, namely, Vijay Kumar, Farman and Arpit.
Mr. Chetan Pangasa, Ld. Counsel for accused,
namely, Swapnil.
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.

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PW-9 Shashank Tyagi has been examined in chief. However, his cross-examination is deferred at the request for Ld. Counsel for the accused persons. It is submitted by Ld. Counsel for the accused persons that the documents which are Ex. PW9/E and Ex. PW9/G, have not been supplied to them and that the same do not correspond with the documents which have been supplied to the Ld. Counsel.

At this stage, copies of Ex. PW9/E and Ex. PW9/G have been supplied to the Ld. Counsel for the accused persons. A request for short accommodation is made by Ld. Counsel for the accused persons to peruse the said documents and cross-examine PW-9.

PW Prakash, Nodal Officer, Jio is also present. However, he is discharged unexamined, at request.

PW HC Mohd. Javed and PW W/Ct. Anamika are not present despite service of summons and despite repeated calls. Further, no intimation regarding reasons of his absence are forthcoming. Ld. Counsel has submitted that PW HC Mohd. Javed has not entered appearance from past several dates.

Issue bailable warrants in the sum of Rs. 5,000/- against PW HC Mohd. Javed and PW W/Ct. Anamika returnable on the next date of hearing.

In the interest of justice, list for PE on **09.10.2025**.

PW-6 ASI Vinod Kumar, PW Nodal Officer, Jio (S. No. 19) and PW-9 Shashank Tyagi, Nodal officer, Vodafone along with **IO Inspector Ichha Ram be summoned** for next date of hearing.

At this stage, request for appearance of accused, namely, Swapnil through video conferencing mode has been made by the Ld. Counsel as well as by the accused. It is prayed

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that the accused be permitted to join the proceedings through video conferencing mode on the next date of hearing and that the accused would not dispute his identity and recording of evidence in his physical absence and in the presence of his counsel.

Heard. Perused.

In view of the submissions made as well as in the interest of justice, **the accused, namely, Swapnil is permitted to be produced before the Court on the next date of hearing through video conferencing mode.** Needless to mention, the accused has already submitted that he would not dispute his identity and recording of evidence in his physical absence and in the presence of his counsel. **A copy of this order be marked to the concerned Jail Superintendent for compliance purposes.**

At this stage, 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 11.08.2025. 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. List for proceedings *qua* Akash @ hunny on **11.08.2025**.

List for reply and arguments on the pending application of State under Section 311 Cr.P.C./Section 348 BNSS on **08.08.2025**. Further, as requested, reply to the aforesaid application be filed by/on behalf of the accused persons within seven days from today with an advance copy of the same to the opposite side.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
29.07.2025