

State vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 466/2021

FIR No. 30/2021

Under Section 364A/377/419/347/120B IPC & 25/27 Arms Act

PS Darya Ganj

20.12.2022

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Chetan Pangasa, Advocate for the accused, namely, Swapnil (*through Video Conferencing*).
Mr. Anubhav Jain, Advocate for the accused, namely, Swapnil.
Mr. Arif Liyaquat, Advocate for the accused persons, namely, Arpit Sharma @ Sonu and Farman.
Mr. Ansh Makkar, Proxy Advocate for Mr. Bharat Dubey, Advocate for the accused, namely, Akash @ Hunny.
The accused persons, namely, Vijay Kumar, Arpit Sharma @ Sonu, Farman and Akash @ Hunny are produced from JC.

It is 04.25 p.m.

On application, the accused, namely, Swapnil is exempted from his personal appearance for today. The accused, namely, Swapnil be produced before the Court on 24.12.2022. To come up for order on charge on **24.12.2022**. The Court tried to locate order dated 21.05.2022 pertaining to dismissal of first application under Section 439 Cr.P.C. filed by the accused, namely, Akash @ Hunny. However, the said order could not be located. Ld. Counsel for the accused, namely, Akash @ Hunny is requested to flag the said order or file a copy thereof. In the meanwhile, issue notice to IO Insp. Raj Kumar, *through DCP (Central)*, to submit reply on the following points:

(i) Whether there is any Call Detail Record pertaining to conversation between the accused persons and the accused, namely, Akash @ Hunny, as stated by the victim, namely, Sadique in his statement dated 01.02.2021;

(ii) Whether any video pertaining to unnatural act to which the victim, namely, Sadique was subjected to, was recovered;

(iii) Whether there is any material that the accused persons sent the said video to mobile phone of the accused, namely, Akash @ Hunny;

(iv) Whether there is any Call Detail Record pertaining to conversation between the accused persons or the accused, namely, Akash @ Hunny before or after the incident in question; and

(v) What is incriminating material against the accused, namely, Akash @ Hunny.

Till then, interim bail of the accused, namely, Swapnil is extended on the same terms and conditions, as imposed *vide* order dated 15.10.2022. A copy of order be given to Ld. Counsel for the accused, namely, Swapnil. A copy of order be sent to concerned Jail Superintendent for information. A copy of order be enclosed with the notice issued to IO Insp. Raj Kumar for his point-wise reply.

Sanjay Sharma-II
ASJ-03, Central District
Tis Hazari Courts, Delhi
20.12.2022

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