

State Vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 748/2021

FIR No. 30/21

P.S Darya Ganj

22.02.2024

Present : None for the State.
Mr. Lakshay Dhillon, Ld. Proxy Counsel for Mr. Mukesh Kalia, Ld. Counsel for the accused, namely, Swapnil.
The accused, namely, Akash @ Hunny is present on bail.

No reply in compliance of order dated 15.02.2024 is forthcoming from the concerned jail at this stage.

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

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
22.02.2024

It is 01.10 p.m.

Present : Mr. Shiv Kumar, Ld. Addl. PP (*Substitute*) for the State.
Mr. Lakshay Dhillon, Ld. Proxy Counsel for Mr. Mukesh Kalia, Ld. Counsel for the accused, namely, Swapnil.
Mr. Gaurav Bindal, Ld. Counsel for the accused, namely, Vijay Kumar.
Mr. Bharat Dubey, Advocate with the accused, namely, Akash @ Hunny.
Mr. M.F. Deen Ld. Proxy Counsel for Mr. Arif Liyakat, Advocate for the accused persons, namely, Farman and Arpit.
The accused, namely, Swapnil has been produced from CJ-01, Tihar, New Delhi. (***through video conferencing***)
The accused persons, namely, Farman, Vijay Kumar and Arpit have been produced from judicial custody.

Contd...2/-

The DVD/hard-drive containing the relevant CCTV footage has been supplied to the Ld. Counsel for the accused persons, namely, Vijay Kumar, Arpit and Farman against acknowledgement.

Arguments on charge *qua* the accused, namely, Akash @ Hunny have been addressed by the Ld. Counsel for the accused as well as by the Ld. Substitute Addl. PP for the State.

List for order on charge/framing of charge *qua* the accused, namely, Akash @ Hunny, on **11.03.2024**.

Pursuant to the order passed on the last date of hearing, report has been received from CJ-01, Tihar, New Delhi with respect to the medical documents of the accused, namely, Swapnil.

As per the said report, it is observed that the accused is stated to have been *inter alia* provided with a wheel chair, incentive spirometer, hard bed, pillows, dumbbells and an attendant, as per the order dated 11.01.2024 of this court. Further, the accused is also stated to have been permitted to bring and continue use an ankle foot orthosis (left and right side), which he was wearing at the time of his surrender.

It is submitted by the Ld. Counsel for the accused as well as by the accused that the said facilities were provided to the accused, only yesterday and the accused has further stated that the assistant provided to him in jail is not co-operating with him in his exercise regime.

At this stage, Ld. Counsel has further submitted that as per the said report, the accused is stated to have been referred to G.B. Pant Hospital on his complaint of decrease right hand grip as well as, advised to be reviewed in OPD and has

accordingly, requested for a copy of documents pertaining to the same from the concerned jail. Ld. Counsel has further requested that a register containing the particulars of reference of the accused for physio-therapy may also be requisitioned.

Accordingly, **issue notice to the concerned Jail Superintendent** to file the medical documents of the accused, namely, Swapnil as well as depute a responsible officer to be present before this Court on **26.02.2024**.

Copy of this order be annexed with the notice.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
22.02.2024