

State Vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 748/2021

FIR No. 30/21

P.S Darya Ganj

23.10.2024

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Chetan Pangasa, Ld. Counsel for accused,
namely, Swapnil.
Mr. Aditya Malik, Ld. Counsel for the accused,
namely, Akash @ Hunny.

PW HC Vinod, PW Mohd. Edul Shah, PW Sadiq
and PW Rajeev Vashishtha, Nodal Officer, Airtel are present.

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
23.10.2024

At 01.30 p.m.

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Gaurav Bindal, Ld. Counsel for the accused,
namely, Vijay Kumar, Farman and Arpit.
Mr. Chetan Pangasa, Ld. Counsel for accused,
namely, Swapnil.
Mr. Aditya Malik, Ld. Counsel for the accused,
namely, Akash @ Hunny.
All the accused persons, namely, Swapnil, Farman,
Vijay Kumar, Akash @ Hunny and Arpit have been
produced from judicial custody.
IO Inspector Ichha Ram is present.

At the outset, Ld. Addl. PP for the State has
submitted that in the pending revision petition against the order
of discharge of accused, namely, Akash @ Hunny, passed by the
Ld. Predecessor Judge, the Hon'ble High Court of Delhi had

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directed the IO to file the supplementary charge-sheet before the Hon'ble High Court. It is further submitted by the IO that the copy of supplementary charge-sheet has, accordingly, been filed before the Hon'ble High Court and the matter is next scheduled to be listed before the Hon'ble Court on 06.02.2025. Accordingly, Ld. Addl. PP for the State has submitted that in view of judicial propriety, the arguments on charge may be heard after the matter has been adjudicated by the Hon'ble High Court of Delhi.

PW Rajeev Vashishta, Nodal Officer, Airtel is present. However, he is discharged at the request of Ld. Addl. PP for the State as he is stated to be not carrying the relevant records i.e. CDR/CAF. He is apprised of the documents to be produced before this Court in relation to the present case.

PW-1 Sadique has been further cross-examined by Ld. Addl. PP for the State and his further cross-examination is deferred for lunch hours.

Accordingly, the matter is passed over for lunch hours.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
23.10.2024

At 04.45 p.m.

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Gaurav Bindal, Ld. Counsel for the accused, namely, Vijay Kumar, Farman and Arpit.
Mr. Chetan Pangasa, Ld. Counsel for accused, namely, Swapnil.
Mr. Aditya Malik, Ld. Counsel for the accused, namely, Akash @ Hunny.
All the accused persons, namely, Swapnil, Farman, Vijay Kumar, Akash @ Hunny and Arpit have been produced from judicial custody.
IO Inspector Ichha Ram is present.

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PW-1 Sadique has been further cross-examined by Ld. Addl. PP for the State. However, his cross-examination is deferred for the want of case property. Notably, the same is despite the fact that Ct. Ashu was repeated asked by this Court whether he had produced the entire case property which he had affirmed. Despite the same, it was only when the case property was sought to be put by Ld. Addl. PP for the State, Ct. Ashu submitted that he has not produced the car/case property today. Relevantly, this Court directed Ct. Ashu to ensure that the case property is produced at the earliest today, however, despite such directions, Ct. Ashu has deliberately opted not to appear before this Court. Needless to mention, SHO is not present today. Accordingly, **a copy of this order be marked to the concerned Joint Commissioner to look into the conduct of the erring officers and take necessary steps.** Needless to mention that the evidence of PW-1 Sadique is pending for substantial time for the want of case property or FSL report.

PW-6 ASI Vinod Kumar has been partly examined in chief. His further cross-examination is deferred as no time is left today.

PW Mohd. Edul Shah are also present. However, he is discharged unexamined for today as no time is left.

List for PE on **07.11.2024.**

PW-1 Sadique, PW Mohd. Edul Shah, PW-5 ASI Vinod Kumar, PW Rajeev Vashishta, Nodal Officer, Airtel (S. No. 18) along with entire CDR/CAF records and PW HC Mohd. Javed along with IO Inspector Ichha Ram (along with laptop) be summoned for next date of hearing.

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Issue notice to the SHO to be physically present before this Court with the entire case property on the next date of hearing.

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