

SC 1094/2022

STATE Vs. NOOR MOHAMED

FIR No. 7 /2015

PS (Gandhi Nagar)

16.07.2024

Pr. Sh. Ramesh Bajia, Ld. Addl. P.P. (Substitute) for State.

Accused is present on bail.

Sh. Sanjeev Kedwal, Ld. Counsel for accused.

Summons were issued to PW IO/SI Satbir Singh and Ct. Sanjay.

PW IO/SI Satbir Singh is present. However, Ct. Sanjay is absent despite service.

Perusal of report on the summon sent to Ct. Sanjay shows that summon was served on Ct. Sanjay 'in person', however, he is now posted in PS Mandela, Rajasthan. But, the report does not show that any person had gone to Rajasthan to get the service effected on Ct. Sanjay.

Considering the same, HC Vijay Pal, Process Server, V-B Incharge and SHO, PS Gandhi Nagar are directed to appear before the Court on next date of hearing for giving vague and ambiguous reports, as report on the summon of PW/Ct. Sanjay does not mention the manner of service of summons on Ct. Sanjay.

It is stated by Ct. Ravinder, Naib Court that service was effected personally on Ct. Sanjay, as he had appeared in some other Court in Karkardooma Courts on 22.06.2024, but this is not mentioned in the said report.

Let explanation be called from HC Vijay Pal, Process Server, V-B Incharge and SHO, PS Gandhi Nagar in this regard on next date of hearing.

IO/SI Satbir Singh is present. Evidence of IO cannot be recorded because of non-appearance/non-examination of Ct. Sanjay. These are the only two witnesses to be examined in the present case, which is old matter of 2015.

Considering the same, last and final opportunity is granted to the prosecution to ensure service and presence of both the witnesses on the next date of hearing.

Put up for entire PE on **06.09.2024**.

(Shail Jain)
Principal District & Sessions Judge,
East District, KKD Courts, Delhi.
16.07.2024 (pm)