

SC No. 39/2022
State vs Jeewan Lal & Etc
FIR No. 50/2016
PS Mandir Marg

04.08.2025

Present: Sh. Mukul Kumar, Ld. Addl. PP for the State.
Both accused persons are absent.
Sh. Deepak Kumar, Ld. Counsel for both the accused persons.

Separate exemption applications are filed on behalf of both the accused persons by their Ld. Counsel on medical grounds. Exemption applications also finds mention that identity of accused persons are not disputed.

Heard. For the reasons mentioned in the exemption application, same are allowed and accused persons are exempted from their personal appearance for today only.

Retired SI Tulsi Ram and HC Harkesh are examined, cross-examined and discharged as PW 15 and PW 16 respectively.

No other PW is present.

At this stage, Ld. Counsel for accused persons submitted that his application u/s 311 Cr. PC dated 21.09.2024 is pending disposal.

Submissions heard on the aforesaid application from both the sides.

Vide present application has been moved for recalling of PW 1 Sh. Janardhan Gautam and PW 2 Sh. Suresh. It is submitted that these witnesses are the star witnesses of the present case and they have not been cross-examined by previous Ld. Counsel of the accused persons as on 14.12.2023 he was busy before Hon'ble High Court of Delhi.

It is further submitted that these witnesses are required to be cross-

examined by the defence Counsel in order to prove the innocence and false implication of the accused persons and if they are not cross-examined, the irreparable loss will be borne by the accused persons and the possibility of their conviction will be there.

Accordingly, it is prayed that present application be allowed and these two witnesses be summoned for their cross-examination.

In view of the submissions made and considering the over all facts and circumstances of the case, present application is allowed subject to availability of the witnesses and further subject to cost of Rs. 1,000/- to be paid to the witnesses.

Let summons be issued to PW 1 Sh. Janardhan Gautam and PW 2 Sh. Suresh for next date.

Now to come up for further PE on **12.09.2025**.

(Virender Kumar Bansal)
Principal District & Sessions Judge
New Delhi District
Patiala House Courts/ND/04.08.2025