

9 SC 297/2017
STATE Vs. ARVIND PAL
FIR No. 164 /2017
PS Sonia Vihar

05.06.2024

Present: Sh. Kamal Akhter, Ld. APP for the State.
Sh. C. B. Singh, Ld. Amicus Curiae for the accused Arvind Pal alongwith accused.
Sh. V. S. Chauhan, Ld. Counsel for the accused Arun and Sonu alongwith accused Arun.
Accused Sonu produced from JC. (on bail in the present case)

Today the matter is fixed for PE.

An application u/s 311 Cr.PC has been moved on behalf of the State on the ground that in the present case, the complainant SI Manish Chauhan and Ct. Kiran Pal Rathi of UP police were injured and they were medically examined by Dr. Rahul, the then CMO of Shushruta Trauma Center and had prepared the MLC of the injured persons. Thereafter, Dr. Avani and Dr. Saikat Jena had given subsequent medical opinions and the said witnesses are essential for the case of the prosecution and they may be summoned by this court in the interest of justice.

Let, the notice of this application be issued to the accused persons, to file the reply on or before the NDOH.

On the LDOH, this court had issuedailable warrants against Ct. Sumit Kumar in the sum of Rs. 5,000/-. The said warrants have been received back duly served. PW Ct. Sumit Kumar has filed his personal bond in the sum of Rs. 5,000/-. Same is taken on record.

PW Ct. Sumit Kumar is absent in spite of service ofailable warrants against him, however a request has been received on his behalf,

which is duly forwarded through SHO PS Ganga Nagar, Meerut, wherein, due to the election duty for Lok Sabha General Elections, 2024, his superiors did not give him the permission to travel to Delhi and a request for another date has been made.

Heard. Allowed only for today.

Summons sent to PW HC Kiran Pal Rathi, IO SI Arvind Kumar received back duly served.

PW8 IO Inspector Arvind Kumar has been examined in chief and his cross examination is deferred at the request of the Ld. Counsel for the accused Arun and Sonu on the ground of non availability of the main counsel.

Let, bailable warrant be issued against witness PW HC Kiran Pal Rathi in the sum of Rs. 5000/- and one surety of the like amount to be executed through IO/SHO concerned.

Let fresh summons be issued to PW8 IO Inspector Arvind Kumar, PW Ct. Sumit Kumar and MHCM alongwith entire case property through IO/ SHO concerned for the next date of hearing.

Now to come up for PE and for consideration on the application u/s 311 Cr.PC filed by the State, on **02.08.2024**.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/05.06.2024