

23.12.2025

Present: Sh. Arvind Kumar Shukla, Ld. Addl. PP for the State.
Accused Balvinder Singh has already been convicted vide order dated 02.03.2020.
Remaining accused persons in person alongwith Ld. counsel, Sh. S.K. Verma.
PW/Rajesh Kumar and PW/Surender in person.
MHCM in person.

Matter is listed for PE.

PW/Gulfraz Makhani is absent despite being bound down on the last date of hearing.

PW-1/Rajesh and PW-2/Surender Kumar examined in chief, cross-examined by Ld. Addl. PP for the State with the permission of the Court and counsel for the accused persons and discharged.

As per the list of witnesses, there are total ten witnesses out of which only PW-1 and PW-2 can prove the involvement of the accused persons in the offence in question. PW-1/Rajesh and PW-2/Surender Kumar are the only eye witnesses in the present matter, however, they have not supported the prosecution story in their examinations-in-chief as they failed to identify the accused persons as well as the case property. As a result, PW-1/Rajesh and PW-2/Surender Kumar were cross-examined by Ld. APP for State, however, the same is of no help to prosecution as the witnesses have denied all the suggestions given in support of prosecution case. The remaining witnesses who are yet to be examined by the prosecution are all formal witnesses. None of the said witnesses is an eye witness to the incident and no other witness is

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competent enough to prove the guilt of accused persons beyond reasonable doubt.

The case is at the stage of PE, however, in the absence of the testimony of any other eye witness, there is nothing incriminating against accused persons for proceeding further and recording the statement of remaining formal witnesses would be futile and wastage of the judicial time, resources and money.

In case titled as **Satish Mehra v. Delhi Administration & Anr.** 1996 JCC 507 Hon'ble Supreme Court of India has held that *"in a case where, there is no prospect of the case ending in conviction the valuable time of Court should not be wasted for holding a trial only for the purpose of formally completing the procedure to pronounce the conclusion on the future date"*.

Accordingly, in the opinion of the Court, in the absence of the testimony of any other eye witness and in the light of the above cited Judgments, the Court needs to protect the right of accused persons to have speedy justice and acquit the accused persons forthwith as there is nothing incriminating against them. Accordingly, PE stands closed, Statement of accused persons u/s 313 Cr.P.C. is dispensed with and accused persons namely Dinesh Arora, Balvinder Singh, Suresh Kumar and Anil Chhabra are acquitted for offence punishable u/s 63 of Copyright Act vide separate detailed judgment passed today.

Previous Bail bond/surety bond are retained for the purpose of Section 437A Cr.P.C. for a period of six months.

File be consigned to record room.

(Mansi Malik)
ACJM-02, (Central), THC,
Delhi/23.12.2025