

1 SC 31/2015 44664/2015
STATE Vs. RAJENDER KASANA
FIR No. 114 /2012
PS Sonia Vihar

14.05.2024

Present: Sh. Syed Ubaid Mansoor, Ld. Substitute APP for the State.
Sh. Rakesh, Ld. Proxy counsel for Sh. Ashok Kumar, Ld.
Counsel for the accused Sobha Ram and Subhash alongwith
accused persons.
Sh. Ajit Bidhuri, Ld. Counsel for the accused Manish
Kasana, Rajender Kasana, Narender and Prathvi Singh @
Sanjay alongwith accused Manish Kasana, Rajender
Kasana and Narender.
Accused Anupam, Joginder Singh, Amit Pandey and Suresh
Chand in person.
Accused Prathvi Singh is absent.

Today matter is fixed for PE.

An application u/s 205 Cr.PC is moved by the Ld. Counsel
for the accused Prathvi Singh @ Sanjay seeking exemption from
personal appearance on the ground that he had traveled to Yamuna Nagar
and he could not come back to Delhi on time, owing to his ill health.

Heard. Allowed only for today.

Perusal of the record reflects that on the LDOH, this court
had issued fresh summons to PW Dr. Ranjeet Kumar, Dr. Gyan Prakash
and Dr. Amit, however, they had been already examined and discharged
as PW3, PW16 and PW5 respectively.

Dr. Sushma Kumari, who has appeared on behalf of Dr.
Gyan Prakash and Dr. Rajender Kumar is discharged unexamined. Let,
the diet money be paid to her.

Sh. Sunil Kumar, on behalf of MRD, GTB Hospital on

behalf of Dr. Ameet is discharged unexamined. Let, the diet money be paid to him.

It is submitted by the Ld. APP for the State, duly assisted by the IO that in the present case, all the prosecution witnesses except for Ct. Iftekar Ali have been examined.

Perusal of the record reflects that vide order dated 08.01.2015, passed by the court of Ld. ACMM, North East, accused Subhash @ Jaat S/o Mahabir Singh was declared absconder in the present case. Thereafter, he was formally arrested in the present case on 27.03.2015 after he had surrendered before the concerned court and later supplementary chargesheet qua him was filed by the IO. However, till date, the charges against him have not been framed u/s 174A IPC, 1860.

Perusal of the record reflects that the Dasti copy of the said order dated 08.01.2015 is available on the judicial file as the same was filed alongwith the supplementary chargesheet, however, in the main judicial file the said order dated 08.01.2015 is not available.

Let, the concerned Ahlmad of the court of Ld. ACMM, North East, which has sent the present file to this court upon committal be called to explain why the said order was not sent alongwith the case file to this court.

Today, separate charge u/s 174A IPC, 1860 have been framed against accused Subhash @ Jaat S/o Mahabir Singh.

Let fresh summons be issued to Ct. Sanjay Bhati no. 1147 witness mentioned at serial no. 1 of supplementary chargesheet, Ct. Iftekar Ali, Ct. Sarwan, no. 911/NE, PS Sonia Vihar and IO Retd. Inspector Narender Kumar through SHO concerned for the next date of hearing.

Now to come up for PE on **22.07.2024**.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/14.05.2024