

SC No. 48(I)/2015 44781/2015
State Vs. Prem Chander Prashad & Ors.
FIR No. 136/2012
PS Crime Branch N. E. Delhi

23.05.2025

Present: Sh. Pardeep Kumar, Ld. Substitute Addl. PP for the State.
Sh. B. B. Sharma, Ld. Counsel for accused Iliyas @ Tiwari
alongwith accused.
Sh. Shankar Kashyap, Ld. Proxy counsel for Sh. Kartikay
Mathur, Ld. Counsel for accused Prem Chander Prasad
alongwith accused.
Sh. Uday Veer Singh, Ld. Amicus Curiae for accused Ravi
alongwith accused.
Sh. Harinder Choudhary, Ld. Amicus Curiae for accused
Baleshwar Ram alongwith accused.

Today the matter is fixed for PE.

An application has been moved u/s 348 BNSS, 2023, on behalf of accused Ravi Kumar Sharma, seeking recall of PW12 Inspector Surender Singh Dalal, who was examined, cross examined and discharged on 22.05.2025. As per the Ld. Amicus Curiae for accused Ravi Kumar Sharma, inadvertently, he could not cross examine the witness yesterday, since, he was under the impression that only the examination-in-chief would be recorded yesterday and the cross examination of the said witness would take place today, since, this Court had given two consecutive dates for the examination of PW11 Inspector Narender Singh and PW12 Inspector Surender Singh Dalal. It is further submitted by the Ld. Amicus Curiae that the cross examination of the said witness is of great importance to the defense of the accused Ravi Kumar Sharma, since, PW12 is the arrest and recovery witness and no prejudice shall be caused to the State, if the present application is

allowed.

Issue notice of the present application to the State. Ld. Substitute Addl. PP for the State accepts notice.

An application has been moved u/s 348 BNSS, 2023, on behalf of accused Prem Chander Prasad, seeking recall of PW12 Inspector Surender Singh Dalal, who was examined, cross examined and discharged on 22.05.2025. As per the Ld. Counsel for accused Prem Chander Prasad, he was not available yesterday, since, he got held up before the Hon'ble High Court of Delhi and the Ld. Proxy counsel had inadvertently not cross examined the witness, in spite of the testimony of PW12 being of great importance to the defense of the accused person.

Issue notice of the present application to the State. Ld. Substitute Addl. PP for the State accepts notice.

Arguments on the aforementioned applications u/s 348 BNSS, 2023 are heard. The said applications are allowed, in view of the averments mentioned therein, and in view of the submissions made by the Ld. Defense Counsels.

Since, the application on behalf of accused Ravi Kumar Sharma was moved immediately on the same date of hearing by Ld. Amicus Curiae and the said fact that he is represented by a friend of this Court, no cost is imposed upon him.

However, the application moved on behalf of accused Prem Chander Prasad stands allowed subject to the cost of Rs. 1,000/- to be paid before District Bar Association, Shahdra. Let, the receipt be filed on or before the NDOH.

PW-11 Inspector Narender Singh was bound down for today. A request has been received on his behalf that he has to appear

before some other Court today in the morning and he shall reach by 12:00 PM and a passover has been sought.

Now to come up at 12:00 PM.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/23.05.2025

At 12:00 PM

Present: Sh. Pardeep Kumar, Ld. Substitute Addl. PP for the State.
Sh. B. B. Sharma, Ld. Counsel for accused Iliyas @ Tiwari
alongwith accused.
Sh. Shankar Kashyap, Ld. Proxy counsel for Sh. Kartikay
Mathur, Ld. Counsel for accused Prem Chander Prasad
alongwith accused.
Sh. Uday Veer Singh, Ld. Amicus Curiae for accused Ravi
alongwith accused.
Sh. Harinder Choudhary, Ld. Amicus Curiae for accused
Baleshwar Ram alongwith accused.

PW-11 Inspector Narender Singh has been cross examined
and discharged as a witness.

In view of the discussions above, let fresh summons be
issued to the PW-12 Inspector Surender Singh Dalal, u/s 348 BNSS,
2023 through IO/ SHO concerned for the next date of hearing.

Now to come up for PE on **12.07.2025**.

Date has been given as per the convenience of the Ld.
Counsels for the accused persons.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/23.05.2025