

SC 44792
State Vs. Rajesh Kalia & Ors
FIR No. 70/05
P.S : New Usmanpur

21.02.2018

Present: Sh. Zenul Abedeen, Ld. Addl. P.P for State.
Accused Raja produced from JC with Ld. Amicus Curiae
Sh. Aditya Singhal.
Other accused on bail.
Sh. U.K. Rai, Ld. Counsel for accused Guddu.
Sh. I.K. Khare, Ld. Counsel for accused Sanjay.
Sh. Mannu, Advocate proxy for accused Ranbir.

SI Sohan Kachhap is present on B/Ws and notice u/s 350 Cr.P.C and filed explanation to the notice u/s 350 Cr.P.C mentioning that on 23.01.2018 he was appeared in the court but left the court for toilet due to stomach problem. However he has neither filed any medical document nor Naib Court of this Court had disclosed about his going to toilet on that day. Therefore his explanation is not tenable.

On the other hand, neither ASI Yashal is present nor filed any explanation to notice u/s 350 Cr.P.C.

Since notice u/s 350 Cr.P.C is of summary nature, hence I take cognizance of notice u/s 350 Cr.P.C against SI Sohan Kachhap and ASI Yashpal. Considering the facts and circumstances, a fine of Rs.100/- each is imposed upon ASI Yashpal and SI Sohan to be

deducted from their salary through DCP concerned and remitted in the court.

PW3 SI Sohan Kachhap examined, cross examined and discharged.

PW Santosh stated to have expired. Let factum of her death be verified by SHO concerned and report be filed on NDOH.

PW Ashish is absent despite service. Issue B/Ws in the sum of Rs.5,000/- against him for NDOH.

Put up for RPE on 27.03.2018.

(LALIT KUMAR)
ASJ-03/NE/KKD / 21.02.2018