

CNR No. DLNE01-000003-2005

SC No. 44792/2015

State Vs. Rajesh & Ors.

FIR No. 70/2005

PS: New Usman Pur

30.04.2022

Present: Sh. R. K. Satyarthi, Ld. Addl. PP for the State.
Accused Rajesh on bail with Id. Counsel, Sh. J. P. Shrivastava.
Accused Sanjay on bail with Id. Counsel, Sh. Y. S. Panwar.
Accused Guddu on bail with Id. Counsel, Sh. U. K. Rai.
Accused Raja on bail with Id. proxy counsel, Sh. Nishant Sharma.
Accused Ranvir on bail absented.
Accused Bablu @ Khatri is also absent.

Today on putting of appearance wife of accused Ranvir namely Mamta has also appeared alongwith Sh. Y. S. Panwar, Id. Counsel and has filed an application for grant of exemption from personal appearance of this accused Ranvir and submitted that the leg of this accused got burnt, so, he is unable to appear in this court today and prayed for granting exemption from personal appearance of this accused. In view of the application moved by wife of this accused, accused Ranvir is granted exemption from personal appearance for today.

The matter is also fixed for service of notice to surety of accused Babloo @ Khatri u/s. 446 CrPC.

The Assistant Ahlmad of this Court has told to the court that due to some inadvertence, she could not issue notice u/s. 446 CrPC to the surety for accused Babloo @ Khatri. She is directed to remain vigilant in future and issued notice u/s. 446 CrPC to the surety for accused Babloo @ Khatri for the next date of hearing.

The matter is also fixed for publication of proclamation u/s. 82 of CrPC against the accused Babloo @ Khatri. The proclamation u/s. 82 of CrPC is received back with the report that the same has been affixed on the house of the accused but this court did not find any citation vide which this proclamation could be published in any newspaper, so, the previous order passed by Id. Predecessor of this court, vide which, the Id. Predecessor was pleased to direct that the proclamation u/s. 82 of CrPC to be published as per the directions given by the Hon'ble High Court of Delhi on dated 28.06.2021 in case Sunil Tyagi Vs. State, CrI. MM No. 5328/2013. Since, the proclamation has not been done as per the directions of the Hon'ble High Court of Delhi given in the abovesaid case, so, the SHO concerned is directed to ensure that proclamation u/s. 82 of CrPC against the accused Babloo @ Khatri is published in the light of the abovesaid judgment of the Hon'ble High Court of Delhi.

Accordingly, the matter stands ordered to be listed for the service of the notice u/s. 446 of CrPC to the surety of accused Babloo @ Khatri and also for awaiting the report of publication of the proclamation u/s. 82 of CrPC against the accused Babloo @ Khatri. To come up on **20-07-2022**.

(PAWAN KUMAR MATTO)
Special Judge (NDPS)/ASJ
North East/Delhi/30.04.2022

vkt