

3 SC 130/2019
STATE Vs. MD ABBAS @ MUNNA
FIR No. 39/2019
PS Seelam Pur

25.03.2025

Present: Sh. Pradeep Kumar, Ld. Substitute Addl. PP for the State.
Sh. D. P. S. Raghav, Ld. Counsel for the accused.
Accused Mohd. Abbas @ Munna is permanently exempted
through his counsel vide order dated 23.12.2024.

Today the matter is fixed for PE.

Summons sent to PW Retd. ASI Abdul Rahim and MHCM
has been received back duly served. Be awaited for their presence.

Perusal of the record reflects that on the earlier occasions as well, requests have been received on behalf of IO Retd. ASI Abdul Rahim seeking exemption from personal appearance on the ground that he is suffering from cancer and currently receiving treatment at Fortis Hospital and he was not in a position to appear physically before this Court. On the LDOH, this Court had made abundantly clear that no request seeking exemption from personal appearance shall be entertained for today and in fact this Court had also given the option to the PW Retd. ASI Abdul Rahim to appear through VC, so that his testimony could be recorded through virtual mode. The process which was sent by this Court had clear mention of the VC meeting ID no. of this Court and also the contact details of the Reader of this Court.

PW Retd. ASI Abdul Rahim has not appeared despite repeated calls and waiting and there is no request received on his behalf,

for allowing him to appear through VC as well.

Since, it was categorically mentioned in the earlier summons issued through the office of DCP concerned that no request of personal exemption shall be entertained today, since, the present case was registered in the year 2019 and the accused Mohd. Abbas @ Munna is suffering from HIV AIDS and the trial cannot be prolonged any further, on the ground that the main IO is not in a state to appear before this Court physically.

Let, fresh bailable warrant be issued against witness PW Retd. ASI Abdul Rahim in the sum of Rs. 5000/- and one surety of the like amount to be executed through DCP concerned.

Let fresh summons be issued to MHCM alongwith entire case property through IO/ SHO concerned for the next date of hearing.

Now to come up for PE on **02.05.2025**.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/25.03.2025