

State Vs. Rajender Kasana etc.

FIR No. 114/12

P.S. Sonia Vihar

19.09.2016

Present: Sh. Zenul Abedeen, Ld. Addl. P.P. for the State.
All accused on bail.
Ld. Counsels for accused.

PW8 Insp. Ravi Kumar is present, examined and discharged. He has tendered his explanation to notice u/s 350 Cr.P.C. on the ground that he was not well and could not send his request for exemption.

In view of the explanation, notice u/s 350 Cr.P.C. issued against PW Insp. Ravi Kumar is hereby discharged.

B/W's issued against Dr. Divash received back unexecuted with report that Summons Cell demanded a copy of MLC and process returned back unexecuted. It is not a ground for non execution of B/W's and concerned Process Server has not made sufficient efforts to serve the process upon the concerned doctor.

Perusal of the record shows that on the last date of hearing, summon was sent alongwith copy of MLC and it cannot be a ground for refusal of process when this court has already sent a copy of MLC. As such, it appears that the Summons Cell has made an excuse to avoid execution of process.

Let a notice be issued to the Summons Cell Incharge as well as MS GTB Hospital to appear for explanation as to why orders of the court are not being complied with.

Let fresh B/W's be issued against Dr. Divash in

terms of last ordersheet.

IO is absent despite service. Issue B/W's in the sum of Rs.5,000/- and notice u/s 350 Cr.P.C. against him.

Put up on date already fixed.

(DEVENDER KUMAR)
ASJ-03/NE/19.09.2016