

SC No.216/2019
State Vs. Sankar Yadav @ Munna Yadav & Ors
FIR No.99/2019
PS Shastri Park

14.09.2022

Present: Sh. Ajit Kr. Srivastava, Ld. Addl. PP for State.
Accused Manoj produced from JC.
Accused Akash @ Illu not produced from JC.
Accused Sanker Yadav @ Munna Yadav is absent.

Process Server SI S. Srinivasa Rao is present for examination, but Ld.Addl. PP for State has submitted that the process server executed the process u/s 82 Cr.PC against accused Sanker Yadav @ Munna Yadav at his actual address i.e. House no. 35/3, Gali No. 1, Gangotri Vihar, Ghonda, Delhi, whereas as per record, address of accused is at House No. 3513, Gali No. 1, Gagan Vihar, Ghonda, Delhi. It is prayed that fresh process u/s 82 Cr.PC may be issued against accused Sanker Yadav @ Munna Yadav at the actual address.

Heard.

Since there is a difference of address of accused Sanker Yadav @ Munna Yadav as address at which process has been issued is different to the address mentioned in record, accordingly any doubt regarding the address of the accused Sanker Yadav @ Munna Yadav may render execution of entire process illegal.

Perusal of record shows that one application dated 13.05.2022 was filed on behalf of Advocate, Sh. Satender Kumar Verma thereby disclosing that he was residing at the address and accused is not residing at the address.

Since correct address of accused Sanker Yadav @ Munna Yadav stated to be at House No. 35/3, Gali No. 1, Gangotri

Vihar, Ghonda, Delhi as furnished by Process Server in his report, whereas his address has been mentioned as House No. 3513, Gali no.1, Gagan Vihar, Ghonda, Delhi accordingly it will be in the interest of justice, if fresh process u/s 82 Cr.PC be issued against accused at both addresses.

Issue fresh process u/s 82 Cr.PC against accused Sanker Yadav @ Munna Yadav at both addresses as mentioned in the report of process server as well as mentioned in record, to be executed through SHO concerned for the next date of hearing. SHO concerned is directed to get executed this process through the officer not below the rank of Sub Inspector.

On the last date of hearing, one production warrant was issued against accused Akash @ Illu, but as per report received from Jail Superintendent concerned, he has been released on bail in this case on 06.06.2022.

Since accused Akash @ Illu has already been released and has failed to appear, accordingly production warrant issued against him is hereby recalled.

Issue NBWs against the accused Akash @ Illu and notice to his surety for the next date of hearing.

Put up on 04.11.2022.

(Devender Kumar)
ASJ-02(NE), KKD/Delhi
14.09.2022