

SC No. 275/2022
State Vs. Naushad & Anr.
FIR No. 601/2022
PS: New Usmanpur

05.01.2024

Present: Sh. Masood Ahmad, Ld. Addl. PP for the State.
Both the accused produced in JC.
Sh. Aditya Singhal, Ld. Counsel for the accused
Kamruddin.

The matter is fixed for evidence of the prosecution.

Notices issued to MHC(M), HC Ranbir, HC Lokender and IO/Insp. Prabhanshu Kumar are received back with reports 'served'.

Today, on calling the case, MHC(M) HC Rajiv, HC Ranbir and HC Lokender Singh have appeared. IO/Insp. Prabhanshu Kumar failed to appear.

HC Kishan Lal has brought the request of IO/Insp. Prabhanshu Kumar, wherein, it is stated that he is suffering from fever and headache for last two days, so, he is unable to appear in the court. So, he is exempted from personal appearance for today.

Since, HC Ranbir and HC Lokender Singh have appeared. Let they be examined one by one.

Accordingly, examination-in-chief of HC Lokender Singh (PW-6) has been recorded. During examination-in of PW-6, Ld. Addl. PP for the State sought permission to ask a leading question from the witness regarding date and month. After

hearing, Ld. Addl. PP for the State is allowed to ask leading question from this witness. But, this witness has stated that he does not remember whether it was 07.06.2022 or any other date, when he went to the GTB hospital. After concluding the examination-in-chief, the opportunity to cross-examine this witness is given to the accused Kamruddin. PW-6 has been cross-examined by Ld. Counsel for the accused Kamruddin. His cross-examination is concluded. The opportunity to cross-examine this witness is also given to the accused Naushad. Ld. Counsel for the accused Naushad did not appear till 11:30 AM, so, the opportunity of the accused Naushad to cross-examine this witness is done nil.

Let HC Ranbir be examined.

Accordingly, examination-in-chief of HC Ranbir (PW-76) has been recorded. During examination-in of PW-6, Ld. Addl. PP for the State has submitted that this witness has resiled from his previous statement recorded by the IO, so, he may be allowed to cross-examine this witness. After hearing, Ld. Addl. PP for the State is allowed to cross-examine this witness. After concluding of cross-examination of this witness by the Ld. Addl. PP for the State, the opportunity to cross-examine this witness is given to the accused Kamruddin. PW-7 has been cross-examined by Ld. Counsel for the accused Kamruddin. His cross-examination is concluded. Thereafter, the opportunity to cross-

examine this witness is also given to the accused Naushad. The opportunity of the accused Naushad to cross-examine this witness is done nil, as, despite of given sufficient time to this accused to cross-examine this witness. The counsel for this accused did not appear and the board of this court is very heavy.

No other PW is present.

Accordingly, the matter stands adjourned for remaining evidence of the prosecution. To come upon **11.01.2024**. Remaining PWs be summoned for the next date of hearing. IO and MHC(M) are also ordered to be summoned.

At this stage, Sh. Aditya Singhal, Ld. Counsel for the accused Kamruddin has filed an application on behalf of the accused Kamruddin for grant of bail. But, he failed to supply the copy thereof to the Ld. Addl. PP for the State.

Ld. Counsel for the applicant/accused Kamruddin is directed to file copy thereof during the course of the day.

Issue notice of this application to the IO to file reply, for **06.01.2024**.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/05.01.2024