

CNR No. DLNE01-003997-2019
SC No. 373/2019
State Vs. Majhar Khan @ Sonu & Anr.
FIR No. 100/2019
PS: Crime Branch

21.12.2021

Present: None for the State.
Both accused produced from JC.
Sh. Shailender Singh, Ld. Counsel for both accused persons.

ASI Shailender Kumar who is Duty Officer by whom the FIR was registered is present.

Ld. Counsel for the accused stated that as registration of the FIR is not disputed, therefore, witness ASI Shailender Kumar may be dropped from examination being a formal witness.

Considering the facts, ASI Shailender Kumar is discharged unexamined being formal witness with liberty to the parties to get him summoned if the need arises.

IO/ASI Abdul Barkat and HC Nitya Nand have sent request.

It is observed by this Court that witnesses in the matters investigated by the Crime Branch pertaining to NDPS Act are not appearing promptly and they are trying to avoid appearance to depose on one pretext or other causing unnecessary delay in the trial. The accused are running into custody in the present case.

The matter is brought into the notice of the Joint Commissioner of Police, Crime who will ensure the service of witnesses in time and their appearance and if under some exigency and unavoidable circumstances the witness is not able to appear in the trial then his exemption will be sought through the DCP concerned.

Report be also filed from the office of the DCP, Crime Branch in the matters to be dealt by this Court about the compliance of Sec. 52A NDPS Act till the next date of hearing.

IO/ASI Abdul Barkat and HC Nitya Nand be summoned for the next date of hearing with MHC(M).

Put up for PE on 25-02-2022 and 26-02-2022.

(SUNIL CHAUDHARY)
Special Judge (NDPS)/ASJ/
NE/KKD/Delhi/21.12.2021