

SC No. 417/2018
State Vs. Rahish Ahmad & Ors.
FIR No. 375/2018
PS: Gokal Puri
13.2.2024

Present: Sh. F. M. Ansari, Ld. Addl. PP for the State.
All the three accused produced in JC.
Sh. R. K. Kochar, Ld. Counsel for the accused Arvind @
Binda.
Sh. Farukh Ahmad, Ld. Counsel for the accused Abid.
Sh. Gaurav, Ld. Proxy counsel for the accused Rahish
Ahamd.
IO/Insp. Jagdish Yadav.

The matter is fixed for evidence of the prosecution.

Notice issued to the witness Sadiq through the IO/SHO
are received back with report, unserved. Since, IO was also called
upon.

The perusal of the record reveals that the Hon'ble High
Court of Delhi in Bail Application No. 3939/2023 was pleased to
direct the IO to produce the witness Sadiq on dated 12.2.2024 in this
court and also directed to this court to examine this witness, but,
despite of directions of the Hon'ble High Court of Delhi, IO failed to
produce the witness Sadiq in the court on 12.2.2024 for his
examination.

Since yesterday, IO also did not appear and notice issued
to witness Sadiq was received back with report, unserved. So, the
matter was adjourned for today.

The Ahlmad posted in this court has also told to this
court that 4-5 days prior to 12.02.2024, this IO had come in the court
and he had given the copy of the order of the Hon'ble High Court of

Delhi passed on dated 23.1.2024 in the Bail Application no. 3939/2023, whereby, the Hon'ble High Court of Delhi was pleased to direct this IO to ensure the presence of the witness Sadiq in this court on dated 12.2.2024. but, despite of it, IO did not make any effort.

Earlier, notice issued to the IO for 12.2.2024 was received back with the report that this IO was on leave since 03.2.2024 to 12.2.2024.

Today, IO has appeared and submitted that on 29.1.2024, his father had expired, so, he was on leave for such period. The IO has also submitted that some more time may be given to serve the notice to witness Sadiq and submitted that the present matter may be fixed for 19.2.2024, for examination of witness in this court.

Since, the abovesaid bail matter in the Hon'ble High Court of Delhi is fixed for 21.2.2024. So, the present matter is ordered to be listed on **19.2.2024**, for evidence of the prosecution.

So, fresh notices are ordered to be issued to the witness Sadiq on all the addresses mentioned in the file including his permanent address of his native village. Same are ordered to be handed over to the IO today itself.

Accordingly, the matter is ordered to be listed on **19.2.2024**, for evidence of the prosecution. IO and MHC(M) are also called upon for the next date of hearing alongwith the other public witnesses.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/13.2.2024