

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

12.3.2024

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. Mohd. Rizwan, Proxy counsel for the accused
Abid.
Sh. Sunil Tiwari, Ld. Counsel for the accused
Rahish Ahamd through V.C.

The matter is fixed for evidence of the prosecution.

Notices issued to the witnesses Adil, Nazim and MHC(M) are received back with report, served, whereas, notice issued to witness Sadiq through the Commissioner of Police, Delhi is received back with report, unserved.

This court has received report from the DCP, North-East regarding service of summon to the witness Sadiq, wherein, it is stated that despite of efforts, summon issued to Sadiq could not be served. So, **fresh notice to witness Sadiq is ordered to be issued. Same is ordered to be served through the DCP, North-East for the next date of hearing.**

Ct. Vishnu has brought the request of IO/Insp. Jagdish Yadav, wherein, it is mentioned that in view of law and order arrangement duty, in connection with CAA and NRC Notification, he is unable to appear in the court today, so, he is

granted exemption from personal appearance for today.

Since, witness Adil is present today. Let he be examined.

Accordingly, examination-in-chief of witness Adil (PW-12) has been recorded. During examination-in of PW-12, Ld. Addl. PP for the State has submitted that this witness has resiled from his previous statements recorded during the investigation, so, he may be allowed to cross-examine this witness. After hearing, the Ld. Addl. PP for the State is allowed to cross-examine this witness. Accordingly, PW-12 has been partly cross-examined by the Ld. Addl. PP for the State till 1:35 PM.

Since, it is lunch time, so, the further cross-examination of PW-12 by the Ld. Addl. PP for the State is deferred till 2:00 PM.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/12.3.2024

At 2:20 PM
Present: Sh. F. M. Ansari, Ld. Addl. PP for the State.
All the three accused produced in JC.
Sh. Mohd. Rizwan, Proxy counsel for the accused
Abid.
Sh. Gaurav, Proxy counsel for the accused Rahish
Ahamd.
Iram wife of the accused Rahees Ahmad.

The matter was passed over for further cross-examination of PW-12 by the Ld. Addl. PP for the State.

Accordingly, PW-12 has been further cross-examined by the Ld. Addl. PP for the State. After concluding the cross-examination of PW-12 by the Ld. Addl. PP for the State, opportunity to cross-examine the PW-12 is given to the accused Rahees Ahmad. Sh. Gaurav, Ld. Proxy counsel for the accused Rahees Ahmad has submitted that he has contacted the main counsel for this accused, who has told him that he does not want to cross-examine this witness and opportunity of this accused to cross-examine this witness may be done nil. So, the opportunity of accused Rahees Ahmad to cross-examine this witness is done nil. The opportunity to cross-examine the PW-12 is also given to the accused Abid. Sh. Azim Malik, Ld. Proxy counsel for the accused Abid has submitted that the main counsel for this accused has told him that he does not want to cross-examine this witness and opportunity of this accused to cross-examine this witness may be done nil. So, the opportunity of accused Abid to cross-examine this witness is done nil.

Since, Ld. Counsel for the accused Arvind @ Binda is not available and this accused has submitted that his counsel is busy in some other court, so, cross-examination on behalf of the accused Arvind @ Binda is deferred till 3:00 PM. The matter stands passed over till 3:00 PM for cross-examination of PW-12 by the Ld. Counsel for the accused Arvind @ Binda.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/12.3.2024

At 3:00 PM

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. Mohd. Rizwan, Proxy counsel for the accused Abid.
Sh. Gaurav, Proxy counsel for the accused Rahish Ahamd.
Iram wife of the accused Rahees Ahmad.

The matter was passed over for cross-examination on behalf of the accused Arvind @ Binda.

Accordingly, PW-12 has been cross-examined by the Ld. Counsel for the accused Arivind @ Binda. His cross-examination is concluded. He is discharged.

Since, witness Nazim failed to appear despite service of notice till 3:30 PM, so, **he is called upon for the next date of hearing through the B/W in the sum of Rs.5000/-**. Same is ordered to be executed through the SHO concerned. Fresh notice to the witness Sadiq is also ordered to be issued for the next date of hearing. Same is ordered to be served through the DCP, North-East.

No other PW is present.

Accordingly, the matter stands adjourned for remaining evidence of the prosecution. Remaining PWs be summoned. To come upon **09.4.2024**. IO and MHC(M) are also ordered to be summoned.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/12.3.2024