

SC NO. 417/2018
STATE VS. RAHISH AHMAD
FIR NO. 375/2018
PS: GOKUL PURI

07.06.2024

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. Farooq Ahmed, Ld. Counsel for accused Abid.

Sh. Naveen Sirohi, Ld. Counsel for accused Rahees.

Witness Poonam in person.

Witness Sadiq not present. Vide order dated 23.01.2024, the Hon'ble High Court of Delhi had directed the IO to ensure presence of the witness namely Sadiq on the next date of hearing i.e. 12.02.2024. However, the witness Sadiq was not present on 12.02.2024. Thereafter, the process including bailable warrants have been issued against the witness Sadiq, despite that his presence could not be ensured.

Today also, the said witness is not present and notice to the IO received back duly served despite that neither IO is present nor any request/intimation has been received from the IO.

Let, fresh notice be issued to the IO through DCP concerned with direction to remain present with written explanation as to what steps have been taken by the IO to comply with the order dated 23.01.2024 passed by the Hon'ble High Court of Delhi regarding appearance of the witness namely Sadiq.

The witness Poonam is present, however, the Ld. Addl. PP for the State has submitted that the assistance of IO is

required during examination of the said witness. Since, the IO is not present, the witness stands discharged unexamined.

Let, the witness Ms. Poonam be summoned afresh for next date of hearing. In the meantime, notice also be issued to the DCP concerned with the direction to ensure that the IO remains present on the next date of hearing, failing which, adverse order shall be passed against the erring official.

Put up on **10.07.2024**.

(PUNEET PAHWA)
Special Judge (NDPS)/Addl. Sessions Judge
North East/KKD Courts, Delhi/07.06.2024