

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

10.7.2024

Present: Sh. F. M. Ansari, Ld. Addl. PP for the State.
All the three accused produced from JC.
Sh. R. K. Kochar, Ld. Counsel for the accused
Arvind @ Binda.
Sh. Farooq Ahmed, Ld. Counsel for the accused
Abid.

Witness Smt. Poonam is present.

IO has filed his report regarding the steps taken to trace out the witness namely Sadiq. Copy supplied.

IO has submitted that although sincere efforts have been made to trace out the witness Sadiq, yet he could not be traced out. However, while going through the various reports on the judicial file, it came to the notice of the IO that the said witness was involved in one criminal case in U.P., wherein, he was arrested and subsequently released on bail. IO has also submitted that one last opportunity be granted to trace out the said witness from the record of the said criminal case.

Report perused.

Perusal of the record shows that despite several opportunities the prosecution has failed to ensure the presence of witness Sadiq. Today also IO has sought some more time to trace out the said witness Sadiq.

Ld. Counsels for the accused have submitted that already sufficient opportunities have been given to the IO and IO is deliberately not ensuring the appearance of the said witness.

Ld. Addl. PP for the State has submitted that steps are being taken to ensure appearance of the witness Sadiq and even if, the said witness is not traced out, the other witnesses as per the list of witnesses be examined and IO can continue with the efforts to trace out the said witness.

Ld. Addl. PP for the State is directed to apprise the stand taken by the prosecution regarding examination of the said witness and it is made clear that in case, presence of the said witness is not ensured on the next date of hearing, he will be dropped from the list of witnesses and no further opportunity shall be given to the prosecution to examine the said witness.

It is already 3:15 PM and the evidence in some other case is going on. Accordingly, witness Smt. Poonam is discharged unexamined.

Witness Smt. Poonam be summoned afresh alongwith IO and MHC(M), for **08.8.2024**.

(PUNEET PAHWA)
**Special Judge (NDPS)/Addl. Sessions Judge/
North East/KKD Courts/Delhi/10.7.2024**