

SC No. 103/17
FIR No. 591/16
PS Seelampur

State v. Saddam @ Muchhad, etc.

20.05.2019

Present: Ms. Sushma Badhwar, Ld. Addl. PP for the State.
All three accused produced from JC.
Proxy Counsel for LAC Sh. K.N. Sharma, Advocate for accused
Saddam and Imran.
Proxy Counsel for Sh. C.S. Tyagi, Advocate for accused Waseem.

PWs namely Ms. Preeti Aggarwala, Ld. MM and Ct. Munish are
unserved for today.

PW/IO SI Naveen Kumar is not responding despite repeated calls
since morning. His notice u/s 350 CrPC is listed for hearing today. He has already
filed his reply to said notice on 16.05.2019.

I have gone through the record and have also perused the said reply.

Report shows that despite service of summons upon SI Naveen Kumar
for 20.02.2019, he failed to appear before the Court on said date, leading to
issuance of notice u/s 350 CrPC and B/Ws against him for next date of 16.05.2019.

In his written reply, noticee i.e. SI Naveen Kumar had mentioned that
he was not well on 20.02.19 due to which he could not appear before the Court and
also could not intimate the Court. However, no medical record whatsoever has been
annexed alongwith said reply in support of the said plea. He has not appeared even
today despite the fact that matter has already been taken up twice since morning.

In view of aforesaid facts and circumstances, I do not find any
sufficient ground being disclosed by SI Naveen Kumar regarding his non-
appearance as a witness before the Court on 20.02.19. **Hence, fine amount of Rs.
100/- is imposed upon him. Said fine amount is directed to be recovered from
his salary as per rules. Copy of this order be sent to concerned DCP with
direction to recover the said fine amount and to remit the same alongwith his
pay slip within six weeks from the date of this order.**

Put up on 08.08.2019 and 09.08.2019 for remaining PE.

(VIDYA PRAKASH)
Addl. Sessions Judge/
NE/KKD/Delhi/20.05.2019