

3 SC 107/2017
STATE Vs. DEEPAK & ANR.
FIR No. 443/2016
PS KARAWAL NAGAR

24.03.2025

Present: Sh. Gaurav Pandey, Ld. Substitute Addl. PP for the State.
Accused Sonu is absent.
Accused Deepak produced from JC. (on bail in present case).

Today the matter is fixed for PE.

Summons sent to PW HC Manoj Kumar Talan and MHCM received back duly served. Be awaited for their presence.

On the LDOH, upon the summons issued to the concerned Ahlmad of the Court at Ghaziabad, UP was received back with the letter addressed to this Court by Ld. ASJ (FTC-02), Ghaziabad, UP, wherein, it was duly mentioned that in view of Rule 126, contained in Chapter XIII of the General Rules (Criminal), framed by the Hon'ble Allahabad High Court, the Court file and other judicial record shall be sent to the Court which is not situated within the State of UP, only if the request is forwarded through the Hon'ble Allahabad High Court. The letter is accompanied with the copy of Rule 126.

This Court has carefully gone through the aforementioned Rule framed by the Hon'ble Allahabad High Court and bare perusal of the said provisions reflects that the said Rule regarding requisition of records was framed, if any Court situated within the jurisdiction of the State of UP, must sent the requisition through the Hon'ble Allahabad

High Court and not vice-versa.

The Ld. Substitute Addl. PP for the State has submitted that appropriate directions may be issued to the IO/SHO concerned to obtain the certified copies of the relevant records of the case pending before District Court, Ghaziabad, so that the trial is not unduly delayed.

The SHO concerned/IO is directed to take appropriate steps to obtain the certified copies of the relevant judicial record and to place the same before this Court.

Accused Sonu has not appeared despite repeated calls and waiting.

Let NBW be issued against the accused Sonu and notice to his surety u/s 446 Cr.PC through IO/SHO concerned for NDOH.

Copy of this order be sent to SHO concerned for compliance.

Now to come up for further proceedings on **02.05.2025**.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/24.03.2025