

2 SC 258/2017
STATE Vs. SALEEM @ MOTA & ORS.
FIR No. 235/2017
PS Khajuri Khas

28.05.2025

Present: Sh. Mukul Kumar, Ld. Addl. PP for the State.
Sh. Jai Sharma, Ld. Amicus Curiae for accused Saleem @
Mota.
Sh. Sunil Kumar, Ms. Neelam Bhargav and Sh. Sanjeev
Kumar, Ld. Counsels for accused Imran and
Riyazuddin alongwith accused Imran.
Accused Riyazuddin is absent.
Accused Saleem @ Mota produced from JC.

Today the matter is fixed for PE.

An application is moved by the Ld. Counsel for the accused
Riyazuddin seeking exemption from personal appearance on the ground
that there was a bereavement in his family and for that purpose he had to
travel outside Delhi.

It has been submitted by the Ld. Counsel for the accused
Riyazuddin that the accused shall not dispute his identity, if the
prosecution witnesses are examined in his absence.

Heard. Allowed only for today.

It is submitted by the Ld. Counsel for accused Imran that he
had no instructions from his client as to his whereabouts.

IO SI Suraj Pal and MHCM are present in pursuance of
summons issued to them.

Accused Imran has not appeared despite repeated calls and
waiting.

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

PW-8 IO SI Suraj Pal is partly examined in chief and his further examination is deferred due to non appearance of accused Imran. Further summons to him are deferred till the presence of accused Imran is secured.

Today a request has been received from the Incharge of Lockup, KKD Courts and from the concerned Jail Superintendent, wherein, it has been informed that accused Saleem @ Mota, who is on bail in present case, however, in custody in some other case has been involved in a quarrel with other UTPs and during the said quarrel the accused Saleem @ Mota received a blade injury on his face and he was medically examined at Dr. Hedgewar Hospital. The copy of his MLC is also filed. It is prayed before this Court that in the future, accused Saleem @ Mota be produced from JC through VC, considering the fact that accused Saleem @ Mota is alleged to be involved with Hasim Baba Gang and the other UTP namely Nadeem S/o Afsar, with whom he had entered into a quarrel allegedly belongs to Irfan @ Chhenu Gang. In order to prevent any gang related violence in the lockup and in the Court premises, his physical production is extremely dangerous, not only for him but also for the Staff and general public.

In view of the facts stated in the said application and upon the submissions made by the lockup Incharge, the said application is hereby allowed and till further orders, accused Saleem @ Mota (on bail in present case) shall be produced before this Court from JC through VC.

Now to come up for appearance of accused Imran and for further proceedings on **04.07.2025**.

Copy of this order be given dasti as prayed for.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/28.05.2025

At 01:00 PM

Present: Sh. Mukul Kumar, Ld. Addl. PP for the State.
Accused Imran in person.

It is submitted by accused Imran that he could not appear before this Court at the time of earlier calls, since, he had just returned back to Delhi after his cousin brother Shahid had expired and he had traveled to District Shamli, UP for the last rites and ceremonies. He could not speak to his Ld. Counsel, since his mobile phone was switched off, however, the exemption application on behalf of his elder brother, co-accused Riyazuddin was filed by the Ld. Counsel and the exemption application could not be moved on his behalf.

Since, accused Imran has appeared, the NBWs issued against him at the time of earlier call is hereby canceled. Accused Imran is directed to remain present on each and every date of hearing on time.

Let fresh summons be issued to PW-8 IO SI Suraj Pal and MHCM alongwith entire case property through IO/ SHO concerned for the next date of hearing.

Now to come up for PE on dated already fixed i.e.

04.07.2025.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/28.05.2025