

CNR No. : DLNT01-007861-2020
SC No. : 309/2020
STATE Vs. JITENDER GOGI AND ORS
FIR No. : 38 /2018
PS : Prashant Vihar
u/s : 302/307/34 IPC and
25/27 Arms Act

23.08.2022

Present: Sh. Sanjay Jindal, Id. Addl. PP for the State.
Proceedings against accused Jitender @ Gogi (A-1) have abated vide order dated 01.06.2022.
Accused A2 and A3 produced from JC through VC.
Accused A4 is stated to have expired.

Sh. Ashok Kumar and Ms. Dimple, Id. counsels for accused A2 and A3.
SI Sandeep ICPP Rohini Court on behalf of SHO Prashant Vihar.

In terms of previous order, report has been received regarding death of accused Kuldeep @ Fajje (A4). It is mentioned in the report that his father was found at the given address and he has informed that his son Kuldeep @ Fajje has expired on 28.03.2021. He further informed that he could not apply for the death certificate of his son due to corona and furnished the copy of his postmortem report. The said postmortem report is annexed with report filed by the IO.

Issue fresh notice to concerned IO/SHO to obtain the death certificate of accused Kuldeep @ Fajje (A4) and file the same on or before the next date of hearing.

In terms of previous order, a report has been received from Dy. Commisisoner Of Police, Rohini District, Delhi, as per which, if applicant/accused Rohit Moi be produced physically before the Hon'ble Court, the adequate police staff will be deployed in the Rohini Court, Delhi. Further, with the coordination of Hon'ble Court and 3rd Bn. DAP as well as Jail Staff,

the applicant/accused Rohit Moi may be produced from Tihar Jail through video conferencing before the Hon'ble Court as done on previous occasions in view of his safety and security.

Status report has also been received on the application of accused Rohit seeking permission for very high risk security and increase in guard while travelling from Jail to court premises has been received from Dy. Commissioner of Police, 3rd BN. DAP, New Delhi, wherein it is mentioned that there is trend of seeking facility of High Risk/Separate Van/Separate Kharja/SAG etc. by UTPs on pretext of danger of life or in the name of criminal Gangwar etc. It is not possible to provide such facilities to each and every UTP on their request. This battalion has limited resources of man-power and fleet of jail vans to meet the requirement in view of day-by-day increase of Court production of UTPs

However, keeping in view of the safety of the above UTP/applicant, High Risk Guard facility has already been provided to him during transportation, production and at the court lock-ups. Necessary directions have been given to all concerned for providing adequate safety and security to applicant/UTP during transportation, production and at the court lock-ups and keep him separate from members of Tillu Tajpuria, Neeraj Bawania, Rohit Chaudhary, Sunil Rathi and Chheenu Gangs/such UTP(s) from whom he has apprehension of his safety and security **and requested that it may please be ordered for producing the abovesaid UTP through video conferencing.**

It is also mentioned in the report that Superintendent, Central Jail No. 5, Tihar Delhi may kindly be directed to keep the above UTP/applicant separate from members of Tillu Tajpuria, Neeraj Bawania, Rohit Chaudhary, Sunil Rathi and Chheenu Gangs/such UTP(s) from whom the above

applicant/UTP has apprehension of his safety & security inside the jail premises and not to hand over him with them to the same I/C escort guard for transportation on their common Court dates, if any. Further, it may also be directed to mention name(s) of such identified UTP(s) on the top of the custody warrant of the above applicant/UTP in red ink so that he may be kept separate from such UTP(s) in the jail van as well as Lock-Up Kharja to avoid any untoward incident.

In view of the report, the abovesaid application is disposed of accordingly. Issue notice to **concerned Jail Superintendent with the direction to produce accused Rohit (A-3) through video conferencing on each date till further orders.**

Put up for awaiting death certificate of accused Kuldeep @ Fajje (A4)/arguments on charge on **04.11.2022.**

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:23.08.2022(R)