

FIR No.536/13
PS : Maurya Enclave
State Vs. Rohit Dhawan etc.

19.08.2016

Present: Sh. Vijender Verma, Substt. Addl. PP for the State.

IO/SI Sandeep Shrivastava is present.

Accused Vikas @ Akash and Deepak not produced from JC.

Accused Vikram produced from JC.

Remaining accused are present on bail.

Sh. A.K. Rai, counsel for the accused Vikram and Dhanpal.

Regular Addl. PP is on leave.

PW SI Suraj Pal is present.

IO/SI Sandeep Shrivastava submits that today, he is going to file supplementary charge-sheet against the accused Akash @ Vikas and Dharmender s/o. Jaipal before the concerned MM. Perusal of the order dated 02.06.2016 reveals that the prosecution filed two reports stating that the accused Rahul and Dharmender had died in an encounter. Accordingly, the proceedings were abated against both of them. The said order was passed in the presence of the Addl. PP and the IO of this case. Now a query is raised upon the prosecution that once the accused Dharmender has already died, then against which Dharmender, the supplementary charge-sheet is going to be filed. Now, it is disclosed by the IO that the said Dharmender was son of Baleshwar Mange and not Dharmender son of Jaipal, who is the accused in this case. It is very surprising that on 02.06.2016, the correct facts were not pleaded before this Court and a report was filed relating to one Dharmender s/o. Baleshwar Mange, who is entirely a different identity from Dharmender s/o. Jaipal, the accused in the present case. In my opinion, prima facie there are lapses on the part of the

prosecution and that requires enquiry. Hence, the IO/SI Sandeep Shrivastava is directed to file an explanation in writing within seven days from today, as to whether he was the IO in this case on 02.06.2016 when the reports were filed; whether the said reports were within his knowledge, and if yes, then why the correct facts were not brought to the notice of this Court. Prosecution is also directed to file the explanation on the same queries.

In view thereof, the PW SI Suraj Pal is discharged for today.

Be awaited for the accused Vikas @ Akash and Deepak.

(Pankaj Gupta)
ASJ-II, North-West
Rohini: Delhi
19.08.2016

At 3.10 p.m.

Present: Sh. Vijender Verma, Substt. Addl. PP for the State.

IO/SI Sandeep Shrivastava is present.

Accused Vikas @ Akash and Deepak not produced from JC.

Sh. A.K. Rai, counsel for the accused Vikram and Dhanpal.

Sh. Pawan Kumar, counsel for the accused Rajeev.

Issue production warrants against the accused Vikas @ Akash and Deepak for **09.09.2016**.

(Pankaj Gupta)
ASJ-II, North-West
Rohini: Delhi
19.08.2016