

03.11.2023

Pr: Sh. K. D Pachauri, Ld. Addl. PP for the State.
Both accused produced from JC through VC.
Sh. Pradeep Chaudhary, Ld. Counsel for both the accused persons.
Sh. Abhishek, Ld. Counsel for witnesses.
IO Inspector Jaspal in person.

Matter is at the stage of PE.

IO Inspector Jaspal was directed to produce the witnesses today, however, witnesses Mahesh and Sunil still not appeared despite service.

Heard. Perused.

Ld. Counsel for witnesses submits that witness Sunil is suffering from depression of eye sight and he is under going treatment for the same.

Heard. Perused.

PW Sunil be summoned again for NDOH.

When Ld. Counsel for witness Mahesh asked for non availability of witness Mahesh, no clarification has been made by the Ld. Counsel.

Therefore, in these circumstances, it appears that witness Mahesh deliberately not appearing before the court just to delay the trial, therefore, issue BWs against Mahesh in sum of Rs. 5,000/- to be executed through SHO, PS concerned for NDOH.

Record shows that these witnesses i.e., Sunil and Mahesh are being summoned after framing of charge i.e., on 06.06.2022 but they are not appearing before the court on one and other pretext.

It is made clear that if, prosecution fails to produce these witnesses on NDOH, adverse action against prosecution shall be taken.

List for PE on **23.02.2024**.

(VIKRAM)
ASJ-02/Spl. Judge (NDPS)
North-West, Rohini Courts, Delhi/03.11.2023