

SC No.544/2021
State Vs. Vijay Das
FIR No. 364/2021
PS Kotla Mubarakpur

18.01.2023

Present: Shri Salim Khan, learned Chief Public Prosecutor
for State.

Accused in person.

Shri Dilip Kumar, learned counsel for accused.

The NBW issued against accused received back unexecuted with the report that his mother met at the given address who told that his son has gone out for work.

Not satisfied with the report. Number of times directions have been given by this court to South-East District as well as South District that processes issued especially by this court should be executed 4-5 days in advance but despite that this is executed only on 16.01.2023. Moreover, as per this court, when NBWs are issued against the accused, the police official who goes to execute the warrants should mention the time of his visit and there should be multiple efforts on the part of the police to make endeavours so that warrant may get executed. From this report, it appears a casual effort has been made by ASI Rajesh Kumar to execute the warrants.

The DCP concerned is directed to look into the matter and file action taken report on or before the next date of hearing and further directed to instruct the police stations, South District which falls within the jurisdiction of this court to make sure that in future processes issued by this court are executed at least 4-5 days in advance and there should be multiple efforts by the police to arrest the accused on the NBWs.

Learned counsel for the accused submits that he was ill on 14.12.2022 and due to this reason he could not appear on that day. No documentary proof is shown by the accused regarding his illness. Thereby, accused is taken into custody.

Be put up for remaining PE on 10.03.2023.

(SANJAY GARG-I)
Principal District & Sessions Judge
South East District, Saket Courts
New Delhi : 18.01.2023 *(ar)*