

SC No. 510/2019
State Vs. Ashu & Ors.
FIR NO. 334/2019
PS: Nand Nagri

09.01.2025

Present: Sh. S.K. Dubey, Ld. Addl. PP for the State.
Accused Lavish and Lokesh produced from JC.
Accused Vikas and Akash are present on bail.
Sh. Manish Kumar, Ld. Counsel for accused Lokesh.
Sh. Amit Tomar, Ld. Counsel for accused Ashu
Sh. Chaudhary Rajender Singh, Ld. Counsel for accused
Lokesh and Ankur.
Ms. Lalita, Ld. Counsel for PW Rohtash (through VC).

1. An exemption application is being moved on behalf of accused Ashu seeking his exemption from personal appearance for today.

Heard. Perused.

In view of the reasons explained, this application is allowed and accused Ashu is exempted from his personal appearance for today only.

2. PW- Retd. SI Jaiveer has been partly examined in chief as PW-6. His further examination-in-chief is deferred at the request of Ld. Addl. PP for the State for want of record of case FIR No. 363/2019 u/s. 25/27 Arms Act, PS Nand Nagri for exhibiting certain documents and requests for summoning case file pertaining to case FIR No. 363/2019 u/s. 25/27 Arms Act, PS Nand Nagri.

3. PW- Rohtash is absent despite service. Ld. Counsel for PW- Rohtash has submitted that PW-Rohtash is facing threats from the accused persons and therefore, he has not appeared today for recording

of his testimony.

Ld. Addl. PP submits that till date, he has not received any such intimation from the said witness and in case, he receives any such information, he would take appropriate steps for protection of witness.

Ld. Addl. PP requests for issuingailable warrants of PW-Rohtash for securing his presence for the NDOH.

4. Summon sent to PW- Lal Bahadur received back with a report that the process server met the landlord (namely Naresh Kumar) of PW- Lal Bahadur at the given address who told him that Lal Bahadur has died on 03.08.2023. Thereafter, the Process Server collected the copy of the death certificate of deceased PW- Lal Bahadur from the Municipal Corporation of Delhi which is also annexed with the summon.

Accordingly, at the request of Ld. Addl. P.P. for the State, the witnesses PW- Lal Bahadur is dropped from the list of Prosecution witnesses.

5. No other PW is present today.

6. Put up for PE on **10.03.2025**. PW-6 Retd. SI Jaiveer be summoned for the NDOH. Original case file of case FIR NO. 363/2019, PS Nand Nagri be requisitioned from the Ld. Concerned Court for the NDOH.

7. Considering the request of Ld. Addl. PP for the State, Let Bailable warrant in the sum of Rs.2,000/- with one like surety be issued against PW-Rohtash through IO for NDOH.

(SURABHI SHARMA VATS)
ASJ-04/Shahdara/KKD Courts,
Delhi/09.01.2025