

SC No.463/18
FIR No.208/18
PS: Neb Sarai
State vs. Kamaal Saifi @ Kodi

06.02.2019

Present: Mr. Nischal, Ld. Substitute Addl. Public Prosecutor for State.
Both accused produced from JC.
Mr. Rajiv Jain, Ld. LAC for accused Wazid @ Kasim.
Mr. Raj Kumar, Ld. Counsel for accused Wazid @ Kasim.
Mr. Brijesh Kumar Bhardwaj, Ld. Counsel for accused Kamaal Saifi.

Ld. LAC Sh. Rajiv Jain seeks his discharge as counsel for accused Wazid @ Kasim in this case saying that accused has engaged a private counsel Sh. Raj Kumar.

In view thereof, LAC Sh. Rajiv Jain is discharged as counsel in this case.

Fresh vakalatnama on behalf of accused Wazid @ Kasim filed by counsel Sh. Raj Kumar.

Ld. Defence counsels concede to the charges of present case against both the accused persons.

Prima facie there is sufficient material available on record to frame the charges for the offences punishable u/s 307 IPC & 27 of Arms Act. Accordingly, charges for the said offences u/s 307/34 IPC & 27 of Arms Act have been framed separately against both the accused persons to which they pleaded not guilty and claimed trial.

Since sanction u/s 39 Arms Act has not been filed on

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record till date hence, charge for offence u/s 25 Arms Act shall be framed only after supplementary charge sheet with respect to FSL report and sanction u/s 39 Arms Act is received.

Let a letter be also sent to Director, FSL for expedite the matter.

IO is not present despite service. However, he has sent his request for today as he is stated to be busy in Hon'ble Delhi High Court. Let IO be summoned again for the next date of hearing.

As per record, an application u/s 439 Cr.P.C. has been moved on behalf of accused Wazid @ Kasim. However, counsel seeks permission to withdraw the same. Hence, application is dismissed as withdrawn.

Put up for PE on **23.03.2019.**

(Sunena Sharma)
Additional Sessions Judge-03 (South)
Saket Courts/New Delhi/06.02.2019