

**CNR No. DLST01-002655-2019**

**SC No. 248 of 2019**

**State Vs Prince**

**FIR No. 639/2017**

**PS Sangam Vihar**

**05.09.2023**

**Present:** None for State.

Accused produced from JC (**on bail in the present case and in JC in case FIR No. 255/2023 PS Tigri u/s 25 Arms Act**).  
PW HC Surender in person.

*Ld. Additional PP for State is stated to be on leave today. Ld. Substitute Addl. PP for State submits that in his regular Court, his presence is required in a time bound MCOCA case.*

Matter is at the stage of prosecution evidence. However, perusal of record shows that the statements u/s 161 Cr.P.C. of the prosecution witnesses including statement of HC Surender are not on record.

It has also been informed that the police file is in Directorate of Prosecution since 07.07.2023.

In these circumstances, PW HC Surender is discharged unexamined only for today.

It is also noted that the matter is also listed for 06.09.2023 and 11.09.2023 for prosecution evidence, however, in absence of statements of witnesses u/s 161 Cr.P.C., no purpose would be served by listing the matter on 06.09.2023 and 11.09.2023. Hence, **the next dates of hearing i.e. 06.09.2023 and 11.09.2023 are recalled.**

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**Let IO be summoned through the SHO concerned for next date of hearing who shall clarify about the statements u/s 161 Cr.P.C. of the witnesses which are not on record.**

**Police file be also summoned from Directorate of Prosecution for next date of hearing.**

List now for further proceedings on **27.09.2023**.

**(Navjeet Budhiraja)**  
**ASJ-02 (South)**  
**New Delhi/05.09.2023**