

CNR No. DLST01-003970-2019

SC No. 363 of 2019

State Vs Rakesh Yadav & Anr.

FIR No. 98/2019

PS Hauz Khas

30.08.2022

Present: Sh. Santosh Kumar, Ld. Additional PP for State.
Sh. Umar Khan, Ld. Proxy Counsel for complainant.
Complainant in person.

Heard. Records perused.

Charge-sheet in the present case was filed on 06.06.2019. Cognizance has still not been taken on account of various reasons including conducting of age determination test of CCL 'SY'. It is noted that the matter was being listed for appearance of IO/ACP Rajnish for making submissions on point of cognizance. The record shows that the IO/ACP Rajnish has not been appearing before this Court.

Vide Order dated 23.11.2021, IO/ACP Rajnish was summoned to explain the caste of the accused persons. On the next date i.e. 14.12.2021, it was reported that IO/ACP Rajnish was posted at Chandigarh and, therefore, ACP Hauz Khas was summoned. The record shows that even ACP Hauz Khas has not appeared to submit on the clarifications sought by this Court.

It is again noted that it has not been disclosed in the entire charge-sheet as to which caste / community the accused persons kept in Column No. 11 belong to.

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DCP (South) is directed to inform this Court as to who would pursue the present case in view of transfer of IO/ACP Rajnish to Chandigarh.

DCP (South) shall also ensure appearance of ACP Hauz Khas on the next date of hearing to clarify the caste / community of accused persons kept in Column No. 11 in the present case.

Let ACP Hauz Khas be summoned through the DCP concerned for next date of hearing.

Now to come up for same and consideration on point of cognizance on **26.09.2022**.

Copy of this Order be also dispatched to the DCP (South) as well as ACP Hauz Khas along with notices.

**(Vrinda Kumari)
ASJ-02 (South)
New Delhi/30.08.2022**