

SC No. 377 of 2019
State Vs. Akash @ Dabbu
FIR No. 79/2019
PS Sangam Vihar

10.02.2025

Present: Sh. L. D. Singh, Ld. Additional PP for the State.
Accused in person on bail.
Sh. Keshav Sharma, Ld. Proxy Counsel for accused.
Mohd. Rehan Manzar, Ld. Counsel for complainant.

Matter is listed for further prosecution evidence.

PW HC Pankaj and ASI Babulal were summoned for today. HC Pankaj has requested for exemption on the ground of sickness.

ASI Babulal is not present today and on telephonic conversation with naib prosecution, he has claimed to be unaware of the hearing of this case and stated that he did not receive any summon.

The report on the summons reveals that on his mobile phone number 9958063781, he was informed about the Court date and copy of the summons were sent on his WhatsApp number by the concerned process server Ct. Dharmi Lal PS Sangam Vihar. The said report is forwarded by Inspector Investigation Sangam Vihar with an initial but the complete name of the said inspector is not mentioned in the report.

In view of the fact that ASI Babulal has claimed to be having no information about his evidence in the case today and there being no proper acknowledgment on the report of summons, **I deem it apposite to call for a report from the worthy**

DCP (South) to clarify whether there is any standing order pertaining to the service of summons to the witnesses through WhatsApp or any other electronic mode as it is seen in every other case that the witnesses, in some cases private witnesses, and almost all the police witnesses are reported to be served with the summons on their WhatsApp number, without annexing any valid proof of service.

Worthy DCP (South) is further directed to provide the copy of standing order / directions / rules in regard to service of summons by the concerned branch of a particular police station along with the aforesaid report by 17.02.2025.

In the meanwhile, let PWs, namely, HC Pankaj and ASI Babu Lal (mentioned as Serial No. 06 and 17 respectively in the list of witnesses) be summoned again through the SHO concerned for 22.03.2025.

MHC(M) with case property, if any, be also summoned for 22.03.2025.

List now for further prosecution evidence on 22.03.2025.

Copy of this Order be dispatched to the worthy DCP (South) for information and compliance for submitting the report by 17.02.2025 as well as to SHO PS Sangam Vihar forthwith.

(Navjeet Budhiraja)
ASJ-02 (South)/ Saket Courts
New Delhi/10.02.2025