

Reg. No. Cr.C/42277/2016
State Vs. Nakul & Anr.
FIR No. 269/2014
PS : Jafarpur Kalan

18.02.2020

Present : Sh. Girish Kumar Manhas, Ld. Addl. PP for the State.
Accused Nakul in person.
Accused Sajjan @ Lala is produced in J/C.
Sh. Mahipal Singh, Advocate for accused Nakul.
Sh. Anirudh Yadav, Advocate for accused Sajjan @ Lala.

Two separate applications seeking cancellation of their NBWs have been moved on behalf of both the accused persons.

Heard on the aforesaid applications. Record perused.

Record show that both these accused were previously on bail in this case but they stopped appearing in the present case, resulting into issuance of NBWs against them.

It is submitted on behalf of both the accused persons that they lodged in custody in some other case arising out of FIR No.47/2016 of PS J.P. Kalan, due to which they could not appear before the Court in this case. Accused Sajjan @ Lala is still being produced in custody in that other case.

Having regard to the overall facts and circumstances of the case and keeping in view the submissions made on behalf of accused persons, **their NBWs stand cancelled with warning to be careful in future** and subject to the condition that they shall be regular and punctual in future. **Both the applications stand disposed of accordingly.**

contd...2/-

It be mentioned on custody warrant of accused Sajjan @ Lala that he is on bail in this case and be released, if not required in any other case.

PW-1 further examined in chief, cross examined and discharged.

PW Sh. Kalu duly served but not responding despite repeated calls. **Hence, bailable warrants in the sum of Rs.2000/- be issued against him for the next date.**

At this stage, ld. Addl. PP has moved an application under Section 294 CrPC calling upon both the accused persons to admit or deny the relevant documents as mentioned therein. Copy of application supplied to the accused.

Heard. Perused.

Both the accused persons and their respective counsels have submitted that they are not disputing the contents (except incriminating ones) of DD No.17B dated 01.11.2014, J.P. Kalan; DD No.28B dated 30.12.2014, PS J.P. Kalan; TIP proceedings of accused Nakul dated 03.11.2014 conducted by Sh. Gaurav Gupta, ld. MM; TIP proceedings of accused Sajjan @ Lala dated 05.01.2015 conducted by Sh. Gaurav Gupta, ld. MM; and FSL Ballistic report No.2017/F-1018 dated 31.03.2017.

Joint statement of both the accused persons has been recorded separately in this regard and the aforesaid documents have been exhibited

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as Ex.A1 to E.A5 respectively.

In view of above, learned Addl. PP has dropped PW mentioned at Serial No.10 in the list of witnesses filed alongwith main chargesheet and PW mentioned at Serial No.5 in the list of witnesses filed alongwith supplementary chargesheet.

The application stands disposed of.

Put up on **27.07.2020 and 31.07.2020** for remaining P.E. Main IO be summoned for both the dates.

(VIDYA PRAKASH)
ASJ-3 & Special Judge (Companies Act)
Dwarka Courts (SW)/New Delhi/18.02.2020