

CNR No: HRGR030648392019 CIS No: NACT/31299/2019
PRIYANKA BHATIA VS M/S INDIRAPURAM HABITAT

Present: Shri Akshat Rehane, Advocate for complainant.
 Accused Anil on bail with Shri Sachin Saini, Advocate.
 Accused Parmod is on bail in this case but in custody in an
 other case) not produced by Jail Authority.

Case received by way of transfer. It be checked and registered.

An application for exemption from personal appearance has been moved by counsel for the complainant. Keeping in view the content of application, the same is allowed for today only.

Production warrant against accused Parmod Goel not issued by previous Ahlmad. Let production warrant against accused Parmod be issued for **05.10.2024** with the direction to concerned Superintendent that accused be produced on the date fixed, if they remains in custody.

On perusal of case file, it is revealed that several productions warrant were issued to the Tihar Jail No. 7, Delhi on previous occasion, however, the accused Pramod Goel could not be produced on the ground that said Pramod Goel is scheduled to be produced before another court in Delhi. It is pertinent to mention that the present case was filed in 2019 and even after passing of more than 5 years, the presence of accused could not be secured. Ahlmad is directed to mention a remark of "*most urgent*" on the production warrants so issued in **red ink**. Needless to say, prison is the main pillar in administration of justice and without its cooperation any criminal case cannot brought to its logical conclusion, therefore, if, the Superintendent Jail Authority of Tihar Jail fails to produce the accused on next date of hearing without any substantial cause, then he shall file the affidavit explaining the circumstances why the production warrant not executed. If, the Superintendent of Jail fails to satisfy this court qua the non-execution of production, then the court shall take necessary legal action against the Superintendent of Jail. Copy of this order be sent to jail authority along with production warrants.

Date of Order: 09.08.2024

Heena, Steno-II

(Hari Kishan)
Judicial Magistrate First Class,
Gurugram, UID No. HR-0607