

: 1 :

FIR No. 166/08; 418/08; 293/08; 130/08 & 419/08
PS Special Cell
State Vs. Mohd. Shakeel & Ors.

12.11.2024

The proceeding has been conducted through Hybrid Mode.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for State.
HC Manoj on behalf of IO.

Accused Shehzad Ahmed has expired and proceedings against him stands abated vide order dated 04.02.2023.

Accused Mohd. Hakim is present through VC.

Accused Asadullah Akhtar, Mubeen Kadar Sheikh and Mansoor Asghar Peerbhoy produced from j.c through VC. (Mandoli Jail/Jail no. 15)

Accused Yashin Bhatkal @ Ahmed Siddibappa and Ariz Khan produced from j.c through VC. (Tihar Jail no. 2)

Accused Saquib Nissar, Zia-ur-Rehman, Kayamuddin Kapadia, Mohd. Sadique, Mohd. Zeeshan, Mohd. Shakeel and Asif Bashiruddin Sheikh produced from j.c through VC. (Sabarmati Jail)

Accused Akbar Ismail Chaudhary produced from j.c through VC. (Cherlapalli Jail)

Accused Mohd. Saif not produced from j.c through VC from Jaipur Jail due to his physical production in local court.

Ms. Aditi Saraswat, Ld. Counsel for accused Mohd. Shakeel.

Sh. Siddharth Sunil, Ld. Counsel for accused Asif Bashiruddin Sheikh, Akbar Ismail Chaudhary and Mubeen Kadar Sheikh.

Sh. Sanawar Chaudhary, proxy for Sh. Mehmood Pracha, Ld. Counsel for accused Saquib Nissar and Mansoor Asghar Peerbhoy.

Sh. Prashant Prakash and Sh. Rahul Sahani, Ld. Counsels for accused Ariz Khan, Ahmed Siddibappa, Sadiq Sheikh, Kayamuddin Kapadia and Zia-ur-Rehman.

Sh. Shadab Azhar, proxy for Ms. Warisha Farasat, Ld. counsel for accused Mohd. Saif, Mohd. Hakim, Mohd. Zeeshan and Assadullah Akhtar.

Today matter is listed for Prosecution Evidence.

All accused persons except accused Mohd. Saif appeared through VC throughout the proceedings and stated that they have no objection if evidence of witnesses is recorded.

Ld. Counsel for accused Mohd. Saif submits that he has no objection in recording of evidence in the absence of accused Mohd. Saif.

During recording of evidence in the present matter, the camera was faced towards the witnesses. The witnesses are clearly visible and audible to the accused persons.

PW286 ACP (Retd) Arun R. Chavan is present. He is examined-in-chief. He is partly cross-examined. His cross-examination on behalf of accused Saquib Nissar and Mansoor Asghar Peerbhoy is deferred at the request of proxy counsel as main counsel is not available today.

PW287 Subhash Dattatray Daphale is present. He is partly examined-in-chief. His further examination-in-chief is deferred for want of physical appearance of accused Sadiq Sheikh, Asif Bashiruddin Sheikh, Mansoor Asghar Peerbhoy and Mubeen Kadar Sheikh.

: 3 :

On being asked to come on 29.11.2024, PW287 Subhash Daphale states that due to some personal difficulty, he is not able to appear in the court on 29.11.2024.

As prayed, PW286 ACP (Retd) Arun R. Chavan and PW287 Subhash Dattatray Daphale be summoned again for 20.12.2024.

Ld. Counsel for accused Mubeen Kadar Sheikh seeks some time to address arguments on two pending applications of accused Mubeen Kadar Sheikh and seeks adjournment. **Heard. Allowed.**

Reply has not been received either from the IO or from the concerned Jail Superintendent to the application moved on behalf of accused Mansoor Asghar Peerbhoy seeking permission for video conferencing and phone call facility with family members.

Notice be issued afresh to the concerned IO as well as to the concerned Jail Superintendent to file reply on 19.11.2024.

Summons sent to PW Prakash received back unserved.

PW279 Insp. Ravinder Kumar Tyagi and PW ACP Bhisham Singh be summoned for 19.11.2024.

IO/Pairvi Officer is directed to ensure the presence of witnesses on next date of hearings.

List the matter for PE and for consideration of pending application of accused Mansoor Asghar Peerbhoy on 19.11.2024.

As prayed, accused Hakim is allowed to appear through VC on the date fixed.

: 4 :

Production warrants be issued against accused Mohd. Saif for his appearance before this court through VC on 19.11.2024.

(Dr. Hardeep Kaur)
ASJ-02, NDD/PHC/New Delhi
12.11.2024

At this stage, accused Mohd. Saif produced from j.c. through VC from Jaipur Jail. He is apprised of the next date of hearing. Production warrants need not to be issued.

(Dr. Hardeep Kaur)
ASJ-02, NDD/PHC/New Delhi
12.11.2024