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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 8667/2024**

ANOOP KUMAR GUPTA

.....Petitioner

Through: In person.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Ajay Vikram Singh, APP for the
State with Insp. Rajiv, P.S. Malviya
Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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07.01.2025

Crl. M.A. 33111/2024 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 8667/2024

1. The present petition has been filed by the petitioner praying for setting aside of the impugned order dated 01.10.2024 passed by learned JM District South, Saket Courts, New Delhi, wherein the Court had made an observation that false affidavit certified by the Oath Commissioner in the absence of the accused, has been filed by the present petitioner as a counsel alongwith the application seeking to place on record fresh address of the accused.

2. The petitioner appears in person and submits that, in fact, the affidavit which was filed was directed to be filed by the learned Trial Court itself and



he had written the affidavit in his own handwriting and obtained the signatures of the accused while he was sitting in the Court. Thereafter, he got the affidavit attested from the Oath Commissioner under the *bonafide* impression that the Court had directed for attestation of the same.

3. He submits that no false affidavit of the accused has been filed, therefore, the directions given by the learned Trial Court to send a copy of the order dated 01.10.2024 to the Bar Council of Delhi and Bar Council of India, for reporting the conduct of the petitioner with further direction to take action against him, are unwarranted.

4. In view of the above, issue notice. Learned APP for the State accepts notice.

5. Let status report be filed by the State before the next date of hearing.

6. Re-notify on 22.04.2025.

7. In the meanwhile, having regard to the submissions made by the petitioner, the operation of the impugned order dated 01.10.2024 is stayed.

Crl. M.A. 33110/2024 (for preservation of CCTV footage)

8. The present application has been filed by the petitioner seeking preservation of the CCTV footage dated 01.10.2024 from 12:30 P.M. to 02:30 P.M. of Court No. 213, presided by Ms. Shilpi Singh, Learned JM Saket Courts, Delhi.

9. The petitioner submits that an application was also filed on the administrative side by the petitioner requesting the Branch In-Charge, R&I, Saket Courts, Delhi, to preserve the CCTV footage of inside the Court room 213. He invites attention of the Court to Annexure P-5, which is a letter dated 08.10.2024, received from the Branch-In-Charge, Security Cell, South District, Saket Courts, whereby it has been informed that the same will be



preserved only for one month.

10. Having regard to the submissions made by learned counsel, this Court is of the view that it is imperative to preserve the CCTV footage.

11. Accordingly, the District and Sessions Judge, South District, Saket Court Complex, New Delhi, is directed to ensure preservation of CCTV footage, if available, for the date 01.10.2024 from 12:30 P.M. to 02:30 P.M. of Court No. 213, presided by Ms. Shilpi Singh, Learned JM Saket Courts, Delhi, till further orders.

12. Re-notify on 22.04.2025.

VIKAS MAHAJAN, J

JANUARY 7, 2025

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