

**SECTION IIB**  
**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 2910 OF 2016**

**WITH**

**CRIMINAL MISCELLANEOUS PETITION NO. 5261 OF 2017**

(Application for substituted service by way of publication in  
Respect of Respondent No. 4 & 6)

**SHER MOHD.**

**... PETITIONER**

**VERSUS**

**DESHRAJ AND ORS.**

**... RESPONDENTS**

**OFFICE REPORT FOR DIRECTION**

The matter above mentioned was listed before the  
Hon'ble Court on 04.7.2016 when the Court was pleased to pass  
the following order:

"Mr. Siddharth Mittal, Learned counsel, has  
entered appearance on behalf of respondent nos.  
1,2,3 and 5. It is, therefore, apparent that  
respondent Nos. 4, 6 and 7 are still unserved.  
Liberty is granted to the learned counsel for the  
petitioner to serve respondent No. 7 through  
standing counsel nominated by the State of Haryana  
for this Court.

Let fresh notices be issued to respondent Nos. 4  
and 6 returnable within four weeks.

Liberty is granted to file Counter affidavit  
within four weeks.

List after eight weeks."

Accordingly, show cause notice returnable on 19.9.2016  
was issued to respondent Nos. 4 and 6 through regd. post on  
25.7.2016. A Copy of the notice was also given to the  
Counsel for the petitioner for effecting service of notice on  
Respondent No.7 through Standing Counsel for the State of  
Haryana and filed proof thereof.

It is further submitted that unserved covers containing  
show cause notice have been received back from respondent  
No. 4 without postal remarks and but neither the A. D. Card  
nor the unserved cover containing the notice in respect of  
respondent No. 6 has been received, so far.

It is further submitted that since counsel for the  
petitioner has failed to file fresh address and spare copy of  
the petition for issuance of notice to respondent No.4, the

...2/-

matter above mentioned was listed from time to time before the Ld. Registrar Court and lastly on 10.01.2017, when the following order was passed:

**"Ld. Counsel for the petitioner has failed to file the fresh particulars and to take fresh steps for the service of notice to the respondent No.4 and also failed to take fresh steps for respondent No.6 despite opportunities. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further directions. Await orders. List thereafter."**

It is further submitted that Ms. Priya Puri, Advocate has on 10.03.2017 filed application for substituted service by way of publication in the newspaper 'Dainik Jagran' (Hindi) and 'The Times of India'(English) in Respect of Respondent No.4 & 6. The application has been registered as Cr1. Miscellaneous Petition No. 5261 of 2017(Copy of the same has been included in Special Leave Petition paper book). Mr. Vishwa Pal Singh, Advocate has filed vakalatnama/appearance and counter affidavit on behalf of respondent No. 7. (Copy of the counter affidavit has been included in special leave petition paper books.

Service of notice is not complete on respondent Nos. 4 & 6 but the Counsel for the petitioner has filed application for substituted service in Respect of Respondent No.4 & 6 .

The Office Report for direction in the matter above mentioned is listed before the Hon'ble Judge in Chambers for orders.

Dated this the 5<sup>th</sup> day of April, 2017.

ASSISTANT REGISTRAR

Copy To:

1. Mrs. Priya Puri, Advocate
2. Mr. Vishwa Pal Singh, Advocate
3. Mr. Siddharth Mittal, Advocate

ASSISTANT REGISTRAR