

FIR No. 31/2019
PS Rajinder Nagar

14.09.2020

(Matter has been physically heard)

Case taken up in view of circular no. 23456-23616 DJ(HQ)/ Covid-19 Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions issued by Ld. District & Sessions Judge (HQ).

Present: Ld. APP for the State.
Victim Mahima D/o Sh. Ganesha (through VC over Cisco Webex).
IO/SI Krishan Pal in person.

Official from Nari Niketan apprised the court that orders qua custody of victim Mahima and her 4 months old daughter have not been passed by CWC till date. It is further apprised that the application qua custody orders of victim and her minor daughter has been listed before CWC-9 for today.

IO, SI Krishan Pal is again directed to file report regarding the orders of CWC with respect to further custody of victim and her minor daughter on 16.09.2020. Meanwhile victim Mahima and her 4 months old daughter be kept in Nari Niketan Shelter Home till Next Date of Hearing subject to orders of CWC.

IO is strictly warned to ensure compliance to avoid any adverse order against him.

A copy of this order be sent to Nari Niketan Shelter Home for information and compliance.

One copy be given dasti to IO for compliance.

Put up on 16.09.2020 for purpose fixed.


(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
14.09.2020

CC No. 4551-2017

PS I.P. Estate

J.K. Tyre & Ind. Vs. SHO P.S. I.P. Estate

14.09.2020

(Through VC over Cisco Webex Meetings)

Case taken up in view of circular no. 23456-23616 DJ(HQ)/ Covid-19 Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions issued by Ld. District & Sessions Judge (HQ).

Present: Sh. Hemant Gupta, Ld. counsel for applicant..

The present application was filed through e-mail.

Ld. counsel for applicant submits that vide order dated 11.09.2020, the directions have been issued by this court for registration of FIR against the accused persons but in such order, the specific directions have not been given for registering the case FIR within a period of 24 hours. It is further submitted that the matter has been fixed for 08.12.2020 for filing compliance report by SHO concerned and there is an apprehension that SHO concerned may delay the registration of the case FIR till 08.12.2020. The counsel for applicant submits that the directions would be issued to SHO concerned for registration of case FIR within 24 hours of receipt of the order dated 11.09.2020 and to submit the compliance report not later than one day of registration of such FIR. It is further submitted that the matter be posted for checking compliance within next 2-3 days from today.

Ld. counsel for applicant has placed reliance on case titled as Re: *Abdul Khaleque CRM No. 4792/2019 decided on 17.07.2019.*

Heard. Record perused.

The perusal of the order dated 11.09.2020 passed by this court would reveal that the specific directions have been issued to SHO concerned for registering case FIR against accused persons and conducting investigation, in accordance with law. The order dated 11.09.2020 is self clarificatory and no further clarifications are required to be given. Matter has been listed for 08.12.2020 for filing of compliance report keeping in view the heavy case roster. The reasonable date has been given to the complainant in view of the already listed judicial work. Therefore, the prayer made in the application for listing the matter within next 2-3 days from today for checking the compliance of order dated


14/09/2020.

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No. 4551-2017
PS I.P. Estate
J.K. Tyre & Ind. Vs. SHO P.S. I.P. Estate

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11.09.2020, cannot be accepted.

Needlessly, the directions qua proceeding with investigation in accordance with law clearly imposes an obligation on the part of SHO concerned to promptly register the case FIR keeping in view the observations made by Hon'ble Calcutta High Court in Re: Abdul Khaleque case (Supra). Therefore, no specific directions to such effect are warranted. Accordingly the present application stands disposed off on aforesaid terms.

Scanned copy of this order be sent to counsel for applicant and SHO concerned, through e-mail. One copy be also sent to computer branch , THC for uploading on Delhi District Court Website.

(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
14.09.2020

Cr. Case No. 5283-2020
e- FIR No. 14208/2020
PS I.P. Estate
State Vs. Abdul Qadir & anr.

14.09.2020

(Through physical hearing)

**Case taken up in view of circular no. 23456-23616 DJ(HQ)/ Covid-19
Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions issued by Ld.
District & Sessions Judge (HQ).**

Present: Learned APP for the State.
Both accused are stated to be in JC.
IO/ HC Sushil Kumar in person.

Heard. Record perused.

On the basis of material available on record, there exist a prima-
facie case to proceed against accused persons for offence U/S 379/411/34 IPC.
Hence, cognizance is taken.

Let copy of charge sheet and appended documents be supplied by
the IO to accused persons, through concerned Jail Supdt.

Put up for checking of copies and further proceedings as per law on
28.09.2020.

The accused persons be joined for hearing on date fixed, through
video conferencing. Concerned Jail Supdt. is directed to do needful.

Copy of this order is given to IO for compliance. One copy be also
sent to concerned Jail Supdt for necessary information and compliance at his end.

(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
14.09.2020