

SC 318/2022
STATE Vs. MOHD. ILYAS @ ILLEN
FIR No 296 /2019
PS (Jamia Nagar)
26.11.2022

Present: Sh. Madhukar Pandey, Ld. Special. PP for the State
alongwith Inspector Minto, PS Jamia Nagar.
Accused Mohd Ilyas @ Ilten and Sharjeel Imam
produced from JC.
Sh. Rizwan Ali, Ld. LAC for accused Mohd. Ilyas
@ Ilten.
Accused Belaal Nadeem alongwith Ld. Counsel Sh.
F.A Khan and F Sherwani.
Accused Shahzar Raza Khan and Mahmood
Anwar,are present.
Sh. Sh. Abu Bakr Sabbaq, Ld. Counsel for accused
Shahzar Raza Khan, Mohd Qasim, Umair Ahmad,
and Mahmood Anwar
Accused Mohd Qasim, Umair Ahmad and Chanda
Yadav are absent.
Accused Sarfoora Zargar alongwith Ld. Counsel Sh.
Ritesh Dhar Dubey.
Accused Abuzar in person alongwith Ld. Counsel
Sh. Aparajita Sinha and Kajal Dalal.

Separate exemption applications have been moved
on behalf of accused Accused Mohd Qasim, Umair Ahmad and
Chanda Yadav.

Heard. Applications are allowed for today only.

Further, exemption application has been moved on

behalf of the then DCP Sh. Rajendra Prasad Meena, IPS, Superintendent of Police, Dadar and Nagar Haveli, Silvassa, wherein it has been mentioned that due to security arrangements in view of forthcoming VVIP visit and Gujarat Elections, he is unable to attend the Court.

Submissions heard.

Application for exemption filed on behalf of Sh. Rajendra Prasad Meena, IPS, is hereby allowed for today only.

Today, the matter was listed for hearing arguments on point of charge.

At this juncture, Sh. Madhukar Pandey, Ld. Spl. PP has entered appearance. He has been appointed as Special Public Prosecutor for State **vide notification no. F.8/295/2020/HP-II/1651-63**. Copy thereof has been placed on record.

Written submissions have been filed on behalf of accused Mohd Kasim, Mohd Anwar, Shahzar Raza Khan, Umair Ahmad, Mohd Shoaib, Chanda Yadav, Sharjeel Imam, Abuzar, Asif Iqbal Tanha, Bilal Nadeem and Sarfoora Zargar. The same are taken on record. All the written submissions filed on behalf of all accused, except accused Ilyas @ Ille have been handed over to Ld. Spl PP for State.

Ld. LAC Sh. Rizwan Ali submitted that he will be moving the written submissions on behalf of accused Ilyas @ Ille, on the next date of hearing.

Re-list for **arguments on point of charge** on **13.12.2022, at 02:00 PM, as** Ld. Spl PP has sought adjournment to read the file. He submitted that the file has been handed over to him recently only. The date and time is being given as per the convenience of Ld. Spl PP .

It is pertinent to note that the matter has been pending since 2019, and the Ld. Spl PP has been appointed since 26.07.2021, but the IO/ACP and DCP did not bring the matter to the notice of Ld. Spl PP, due to which the Ld. Spl PP has sought sometime to address arguments.

Let copy of this order be sent to concerned DCP Crime Branch to give explanation as to why the file was not brought to the notice of Ld. Spl PP despite him being appointed as per above mentioned notification. Report be filed on the next date of hearing.

In the meantime, **let notice be issued to DCP Sh. Rajendra Prasad Meena via email/whatsapp through Inspector Mintoo**, to remain present to assist the Ld. Spl PP, for the next date of hearing.

Put up for **arguments on charge on 13.12.2022, at 02:00 PM.**

(ARUL VARMA)
ASJ-04 + Spl. Judge (NDPS) South East District,
Saket Court, New Delhi: 26.11.2022