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

+ Crl.A. 725/2002

SMT. ROSHAN @ ROSHNI

..... Appellant

Through: None.

versus

STATE

..... Respondent

Through: Mr. Amit Ahlawat, APP for the State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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09.01.2019

There is no appearance on behalf of the appellant on the matter being called out.

As per the regular list, this criminal appeal by appellant Roshan @ Roshni is to be heard with Crl. Appeal No. 568/2002 filed by co-convict Shakuntala, they having been shown at serial no. 63 and 62 respectively.

The file of the Crl. Appeal no. 568/2002 Shakuntala vs. State has not been placed before the Court. There is no report from the registry. On being asked, the Court Master states that he was orally informed by the concerned branch in the registry that the file of Crl. Appeal no. 568/2002 (Serial no. 62 in the regular list) is missing, steps being undertaken to re-construct the record.

It is indeed a matter of concern that the registry has not felt the need to make a formal report to the Court about the missing record, this knowing

fully well that the regular matters are being taken up and these appeals are effectively on the top for being taken up today. It is also brought to the notice of the court that files of a large number of matters, including criminal appeals of criminal side in Appellate Branch, are missing, though they are reflected in the statistics as very old pending matters.

The Registrar (Appellate) shall submit his detailed explanatory report through the Registrar General well in time for above aspect to be taken up by the court on 18.01.2019.

The impugned judgment reveals that besides the appellants Roshan @ Roshni & Shakuntala, another person named Shanti was convicted and sentenced. The Court master has placed before the court print-out from the website of the High Court indicating that Crl.Appeal no. 17/2003 of co-convict Shanti was dismissed for non-prosecution by order dated 18.11.2010.

Nominal rolls of appellant Roshan @ Roshni and Shakuntala (appellant in Crl. Appeal no. 568/2002) shall be requisitioned.

Issue non-bailable warrants against the appellant with notice to her surety for 15th February, 2019.

This appeal with connected Crl. Appeal No.568/2002 shall be shown in the cause list under the heading "*From Regulars*" but shall retain their position in the list of "*Regulars*".

R.K.GAUBA, J

JANUARY 09, 2019

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