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

+ **CRL.M.C. 952/2024 & CRL.M.As. 3821-3822/2024**

STATE (NCT OF DELHI)

..... Petitioner

Through: Mr.Sanjeev Bhandari, ASC for State
with Mr. Kunal, Mr. Arjit and
Ms.Rishika, Advocates with ACP
Ved Prakash and SI Nishant Suran

versus

ARSHAD KHAN

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.02.2024

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1. By way of present petition, the petitioner seeks the following reliefs:

“ Quash and/or set aside order(s)dated 19.09.2023, 20.11.2023, 11.12.2023 & 22. 12.2023 passed by the Court of Ld. ASJ-05, New Delhi District, Patiala House Courts, Delhi in FIR No. 197/2020 PS Special Cell u/s 186/353/307 IPC, 1860& Section 25/27 Arms Act, 1959 titled as "State vs. Arshad Khan" including but not limited to the procedure adopted by the Ld. ASJ whereby directions/orders have been issued for conducting an inquiry against the investigating officer and directing the police commissioner to file report under his signatures, and placing the outcome of the same on record”

2. A perusal of the paper-book shows that despite issuance of notices, SI Nishant Suran has repeatedly remained absent in the trial court which has resulted in inconvenience to the functioning of court.

3. At the outset, SI Nishant Suran tenders his unconditional apology for his non-appearance before the trial court and in this regard, has also filed an



affidavit. He states that his non-appearance before the trial court was unintentional and he undertakes to remain careful in future. He further assures that such conduct will not be repeated. He further states a similar apology will also be tendered before the learned Session Court.

4. Mr. Bhandari, learned ASC has informed that an enquiry has been conducted and an explanation was also called from SI Suran whereafter, he has been warned to be careful in future.

5. Considering that the SI Suran has tendered an unconditional apology and further undertakes to appear before the sessions court as well as tender his unconditional apology, learned Sessions Court shall give a quietus to the directions given on 11.12.2023.

6. The petition along with pending applications is disposed of in above terms.

7. *Dasti.*

MANOJ KUMAR OHRI, J

FEBRUARY 9, 2024/rd