

**IN THE COURT OF SH. AMITABH RAWAT,
ADDITIONAL SESSIONS JUDGE-03
(SHAH DARA), KARKARDOOMA COURT, DELHI**

CNR No. DLSH01-005147-2020

SC No. 163-2020

FIR No. 59/2020

PS Crime Branch, Delhi (Investigated by Special Cell)
U/S. 13/16/17/18 UA (P) Act, 120B r/w 109/114/124
A/147/148/149/153A/186/201/212/295/302/307/341/353/395/419/420/427/4
35/436/452/454/468/471/34 IPC & Section 3 & 4 Prevention of Damage to
Public Property Act, 1984 and Section 25/27 Arms Act
State Vs. Tahir Hussain & Others

07.03.2022

Present : Sh. Amit Prasad, Ld. Special Public Prosecutor for the State
alongwith (I.O)/Addl. DCP Sh. Alok Kumar, Inspector Mukesh,
Inspector Lokesh and SI Manoj Kumar.

1) Accused Khalid Saifi produced from J/C alongwith Ld. Counsel
Sh. Rajat Kumar.

2) Accused Isharat Jahan @ Pinki produced from J/C
alongwith Ld. Counsel Sh. Gaurav Dalal.

3) Accused Meeran Haider produced from J/C
alongwith Ld. Counsel Sh. Alok Saxena and Sh. Chandan Kumar.

4) Accused Tahir Hussain produced from J/C
alongwith Ld. Proxy Counsel Ms. Lakshita Bakshi.

5) Accused Gulfisha @ Gul produced from J/C with
Ld. Counsel Mohd. Hasan and Sh. Sanwar Chaudhary.

6) Accused Shifa-Ur-Rehman produced from J/C alongwith
Ld. Counsel Sh. Naved Ahmed.

7) Accused Asif Iqbal Tanha present on bail alongwith
Ld. Counsel Sh. Akash Sachan.

8) Accused Shadab Ahmed produced from J/C alongwith

Ld. Counsel Sh. Shivam Sharma.

9) Accused Tasleem Ahmed produced from J/C alongwith Ld. Counsel Sh. Mohd. Hasan and Sh. Sanwar Chaudhary.

10) Accused Saleem Malik @ Munna produced from J/C alongwith Ld. Counsel Sh. Bilal Ahmed.

11) Accused Mohd. Saleem Khan from JC alongwith Ld. Counsel Sh. Mujeeb-ur-Rehman.

12) Accused Athar Khan produced from JC alongwith Ld. Counsel.

13) Accused Safoora Zargar on bail with Ld. Counsel Sh. Ritesh Dubey.

14) Accused Sharjeel Imam produced from J/C.

15) Accused Umar Khalid produced from J/C alongwith Ld. Proxy Counsel Sh. Shivam Sharma.

16) Accused Faizan Khan is present on court bail with Ld. Counsel Ms. Azra Rehman.

(17) Accused Natasha Narwal is not present (on bail) Ld. Counsel Ms. Tusharika Mattoo.

(18) Accused Devangana Kalita is present (on bail) alongwith Ld. Counsel Ms. Tusharika Mattoo.

(19) & (20) Accused Suleman Siddiqui @ Salman and Amanullah have already been declared proclaimed offender vide order dated 23.12.2020 and 01.10.2021 respectively.

ACP Madhukar Rakesh, DAP 3rd BN alongwith Incharge ED Lockup Inspector Manoj.

Vakalatnama filed on behalf of accused Ishrat Jahan.

(1) An application for exemption from personal appearance has been moved on behalf of accused Natasha Narwal on the ground that accused is traveling outside Delhi.

Heard. In view of facts stated in the application, applicant/accused Natasha Narwal is allowed to be exempted from her personal appearance for today only.

(2) Let copy of the supplementary charge-sheet, filed on 02.03.2022, be supplied to the accused persons, as per rules.

(3) Accused Shifa-ur-Rehman submits that he has not been able to talk to his mother over phone since the permission sought was rejected. However, admittedly, he has been regularly talking over to his counsel, brother and others who are in Delhi. Let the concerned DG Jail Superintendent is directed to look into the issue.

Accused Shifa-ur-Rehman further submits that he wears spectacles but he is not allowed to wear the spectacles when he appears in the court.

Heard. Let accused Shifa-ur-Rehman be allowed to wear spectacles when produced in court, as per rules.

(4) Accused Tasleem Ahmed has moved an application regarding non providing of Urdu paper in the jail.

Heard.

Let the application alongwith copy of order be sent to the concerned Jail Superintendent for disposal of this application, as per jail rules.

(5) Another application has been moved on behalf of applicant/accused Athar Khan who is being threatened inside prison by Warden Sandeep.

Heard.

Let the concerned Jail Superintendent be called for the next date of hearing.

(6) An action taken report filed by Superintendent, Prisons, Headquarter, Tihar, Delhi in which it was stated that there was no order for handcuffing of UTP Umar Khalid during court production. Accused was handed over to DAP for production in this case and while handing over, no handcuffs were not put on by the Jail Staff.

Another report filed by DCP, 3rd BN., DAP in compliance of the order dated 17.02.2022 stating that production of accused Umar Khalid on the last date of hearing was a bonafide mistake arising out of the non communication of the order dated 17.01.2022 passed by Ld. CMM Patiala House Court.

On asking, it was stated that there was earlier an order for producing the accused in handcuffs. The copy of the order dated 07.04.2021 mentioned that accused will be produced in handcuffs. The warrant register of UTP Umar Khalid has also been filed alongwith the reply. It was also stated that said entry regarding the accused to be produced in handcuff was by the Jail Authority and not by the Lockup Incharge.

Considering submissions and relies filed today, let the concerned Jail Superintendent to appear in person on NDOH.

Ld. Counsel for the accused Umar Khalid has requested for supplying of copy of the report filed by DCP, 3rd BN and the Superintendent, Prisons.

Heard. Let copy of both reports be supplied to Ld. Counsel for the accused.

(7) For the record, it is made clear that there is no order from this court regarding production of accused Umar Khalid in handcuffs and this order shall be strictly complied with without any fail.

(8) Various accused persons including Shadab Ahmad, Salim Khan and Salim Malik have expressed their reservations about the security and asked for a separate van or a van with a separate *kharza* whenever they are produced

in the court in this case.

There have been few orders for producing the accused persons in the present case in separate van. The concerned Jail Superintendent may coordinate and if possible, the accused persons lodged in the present case be sent in the same jail van to the extent it is possible.

A copy of this order be emailed to DG Prison, Lock UP Incharge, concerned Jail Superintendents for information and compliance.

Now to come up on 01.04.2022 for considering the pending miscellaneous applications and further proceedings.

(Amitabh Rawat)
Addl. Sessions Judge-03
Shahdara District, Karkardooma Courts
Delhi/07.03.2022