

IN THE COURT OF SH. AMITABH RAWAT, ADDITIONAL SESSIONS
JUDGE-03 SHAHDARA DISTRICT, KARKARDOOMA COURT, DELHI

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/186/201/212/295/302/307/341/353/395/420/427/435/
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

24.11.2020 (Proceedings through Webex).

Present : Sh. Amit Prasad, Ld. Special Public Prosecutor for the State.

1) Accused Khalid Saifi produced from Jail no.12 from
Mandoli Jail (through WebEx) alongwith Ld. Counsel Sh. Harsh Bora
(through WebEx).

2) Accused Isharat Jahan @ Pinki produced from Jail no.16
from Mandoli Jail (through WebEx) with Ld. Counsel Sh. Pradeep Teoatia
(through WebEx).

3) Accused Meeran Haider produced from Jail no.8 from Tihar
Jail (through WebEx) alongwith Ld. Counsel Sh. Saransh Gupta (through
WebEx).

4) Accused Tahir Hussain produced from Jail no.3 from Tihar
Jail (through WebEx) alongwith Ld. Counsel Sh. Rizwan present in court.

5) Accused Gulfisha @ Gul produced from Jail no.6 from
Tihar Jail (through WebEx) with Ld. Counsel Sh. Jatin Bhatt (through
Webex).

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6) Accused Shafa Ur Rehman produced from Jail no.1 from Tihar Jail (through WebEx) with Ld. Counsel Sh. Amit Bhalla (through WebEx).

7) Accused Asif Iqbal Tanha produced from Jail no.4 from Tihar Jail through WebEx. alongwith Ld. Counsel Ms. Sowjhanya Shankaran (through Webex).

8) Accused Shadab Ahmed produced from Jail no.13 from Mandoli Jail (through WebEx) alongwith Ld. Counsel Sh. Kartik Murukutla (through WebEx).

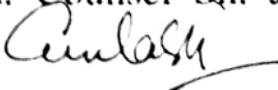
9) Accused Natasha Narwal produced from Jail no.6 from Tihar Jail (through WebEx) alongwith Ld. Counsels Sh. Adit S. Pujari & Ms. Tusharika Mattoo in court and Sh. Kunal Negi (through WebEx).

10) Accused Devangana Kalita produced from Jail no.6 from Tihar Jail (through WebEx) alongwith Ld. Counsels Sh. Adit S. Pujari & Ms. Tusharika Mattoo in court and Sh. Kunal Negi (through WebEx).

11) Accused Tasleem Ahmed produced from Jail no.14 from Mandoli Jail (through WebEx) with Ld. Counsel Sh. Jatin Bhatt (through Webex).

12) Accused Saleem Malik @ Munna produced from Jail no. 13 from Mandoli Jail (through WebEx).

13) Accused Mohd. Saleem Khan produced from Jail no.13 from Mandoli Jail (through WebEx) with Ld. Counsel Sh. Jatin Bhatt (through Webex).



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14) Accused Athar Khan produced from Jail no.4 from Tihar Jail (through WebEx) with Ld. Counsel Sh. Arjun Dewan (through WebEx).

15) Accused Safoora Zargar is on bail (through Webex) with Ld. Counsel Sh. Ritesh Dubey (through WebEx).

16) Accused Sharjeel Imam produced from Jail No.1 from Tihar Jail (through Webex) with Ld. Counsel Ms. Surbhi Dhar (through Webex).

17) Accused Umar Khalid produced from Jail No.2 from Tihar Jail (through Webex) with Ld. Counsel Sh. Trideep Pais (through Webex).

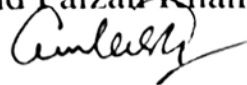
18) Accused Faizan Khan is stated to be on court bail.

Investigating Officer(I.O)/ACP Sh. Alok Kumar (through Webex).

The charge-sheet against 15 accused persons is filed and cognizance is taken of. The present supplementary charge-sheet is filed against three accused persons namely Sharjeel Imam, Umar Khalid and Faizan Khan.

The sanction for prosecution under Section 45 of the Unlawful Activities (Prevention) Act, 1967 for offences under Section 13/16/17/18 of the said Act has been filed. The sanction under Section 196 Cr.P.C is stated to be pending and would be placed as and when received from the competent authority.

After perusal of the charge-sheet and accompanying documents, there is sufficient material to proceed against accused persons namely Sharjeel Imam, Umar Khalid and Faizan Khan for offences



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mentioned therein except for offences under Sections 124A/153A/109/120B of IPC for which necessary sanction is awaited.

Regarding offences under Section 124A/153A/109/120B of IPC, the same is deferred for the want of requisite sanction.

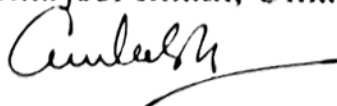
Since two accused persons namely Sharjeel Imam and Umar Khalid are present today with their counsels through Webex app, hence, there is no need to issue summons.

At this stage, Ld. Counsels for accused persons Sharjeel Imam and Umarm Khalid submit that there is no necessity of issuing formal summons as they are present in the court through Webex and accepted notice.

Let summons be issued to accused Faizan Khan, who is on bail, through I.O for next date i.e. 22.12.2020.

Ld. Special Public Prosecutor submits that he has no objection if the court passes order for supply of soft copies of the charge-sheet in the form of Pendrive to the accused persons.

On the issue of compliance of Section 207 Cr.P.C regarding supply of the hard-copy of the charge-sheet, the State has already gone in appeal before Hon'ble High Court of Delhi which has, vide order dated 10.11.2020 passed in CrI. M.C. 2119/2020 & CrI. M.A 15099/2020, stayed the trial of this case. Awaiting the orders by Hon'ble High Court of Delhi, let the accused persons namely Sharjeel Imam, Umar Khalid and Faizan



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Khan be supplied soft copies, in the form of Pendrive, of the entire charge-sheet including the supplementary charge-sheet while the soft-copy of the supplementary charge-sheet be supplied to rest of the accused persons in the form of Pendrive.

There is no clarity whether the Pendrive is being allowed into the Jail or not.

Let copies of the charge-sheet in compliance of Section 207 Cr.P.C through Pendrive/soft copies be done on 02.12.2020 and counsel for accused persons may visit the court between 12.00 Noon to 2.00 PM for collecting the said copies. I.O shall also be present at the said time.

All accused persons who are in judicial custody be produced from concerned Jails on next date of hearing through Webex.

Copy of the order-sheet be also mailed to all the parties i.e. counsel for applicant/accused, Ld. Prosecutor and IO.



(Amitabh Rawat)

Addl. Sessions Judge-03

Shahdara District, Karkardooma Courts,

Dated: 24.11.2020