

अशुल सिंघल
ANSHUL SINGHAL
महानगर दण्डाधिकारी
Metropolitan Magistrate
(एन.आ. बस्टे)-03, फील 17
(N/A-03, Room No. 17)
मुख्य भवन, पटियाला हाऊस न्यायालय
Main Building, Patiala House Courts
नई दिल्ली
New Delhi

Fir No. 212/2020

PS Special Cell

U/s 182/193/420/468/471/472/473/120B IPC

25.12.2020

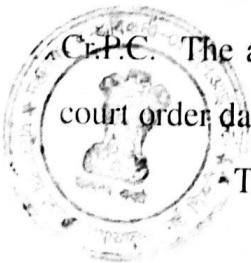
Present: Mr. Mehmood Pracha in person.
Sh. Piyush, Ld. APP for the State.

The applicant, Mr. Mehmood Pracha, has stated that he has moved an application U/s 165(5) and 156(3) of Cr.P.C before this Court. He has further submitted that he had filed an application U/s 93 Cr.P.C yesterday before Ld CMM, PHC, NDD and IO was asked to file a reply on the said application and the matter was put up before Duty MM for today. Astt. Ahlmad of this court has reported that he has not received any record from the court of Ld. CMM. He furthermore states that he has tried to contact the Reader of the court of the Ld. CMM. However, he has not received any response.

The applicant has submitted before this court that his colleague has spoken telephonically with the Ahlmad of the court of Ld. CMM, PHC, NDD and he has stated that application has been sent to the court of Ld. Duty MM yesterday itself through Dak Peon.

The applicant has submitted before this court that a search was conducted at his office from 12:00 Noon on 24.12.2020 and till 03:00 A.M on 25.12.2020 approximately and according to the provisions of Section 165 Cr.P.C, Volume III, Chapter 11, Part A, Rule 14 & 16, IO should have intimated forthwith the search and the seized articles to the concerned Magistrate. However, he submits that the same has not been done and therefore, he has filed an application U/s 165(5) Cr.P.C. The applicant has submitted that the entire search was videographed as per court order dated 22.12.2020. He submits that he is entitled to copy of video footage.

The applicant has further stated that one Mr. Rajiv and the IO have



threatened him that they will make a false case against him. Accordingly, the applicant has filed an application U/s 156(3) Cr.P.C for continuous monitoring of the case.

Heard. Record perused.

IO is directed to file reply to application U/s 165(5) Cr.P.C by 27.12.2020. IO is further directed to remain present in court alongwith entire video footage of any search conducted by him of office premises of the applicant.

IO is further directed to file a status report in FIR No. 212/2020, PS Special Cell and place it before concerned court on 05.01.2021.

Let record of the application filed U/s 93 Cr.P.C by the applicant on 24.12.2020 be traced and place before Ld Duty MM on 27.12.2020.

Copy of this order be given dasti to the applicant, as prayed.

Copy of this order be sent to IO through HC Hari Prasad, who is Naib Court assigned to this court today.

(Anshul Singhal)
Duty MM/NDD/PHC/New Delhi
25.12.2020
Room No. 80 Main Building
पटियाला हाऊस न्यायालय
Patiala House Courts,
नई दिल्ली
New Delhi

