

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II
DISTRICT- AURANGABAD**

Sessions Case no. 120/18|328/23, Amba PS Case No. 63/13

IN THE MATTER OF :-

**State (through, Kumar Ranvijay Bahadur Singh@ Chunnu Singh)
.....Prosecution**

v/s

**1. Ashok Yadav.
2. Vikash Kumar Mehta@ Dablu Kumar.**

.....Accused

Charge U/s – 307/149, 147, 148 IPC & 27 Arms Act

Counsel for prosecution- Shree....., APP.

Counsel for the Defence:Shree Mukesh Kumar, Advocate.

PRESENT -ANINDITA SINGH

DATE OF ORDER -29.4.26

ORDER U/S 232 Cr. P. C

1. The above mentioned two accused persons stands charged for attempting to kill informant, after forming unlawful assembly by means of firearms in furtherance of common intention of all which are punishable u/s 307/149, 147, 148 IPC & 27 Arms Act.

The occurrence is said to have taken place on 31.10.2013 at 7:00 AM at Sharma mobile shop, Hariharganj road, PS Amba, District-Aurangabad.

2. The case of the prosecution which flows from the *fardebayan* of the informant Kumar Ranvijay Bahadur Singh@ Chunnu Singh recorded at Sadar hospital, in short is that on 31.10.2013 at 7:00 AM informant was sitting at Sharma mobile shop situated at Amba, in the meantime two persons came on motorcycle namely Chakra and Sujit Mehta and Sujit Mehta took out pistol from his waist and fired on the informant which hit in his right hand elbow. Thereafter, Chakra also started firing. The informant hide himself inside the the shop, meanwhile 20-25 persons along with Sujit Mehta & Chakra started firing. On hearing sound of firing nearby people gathered and the culprits fled away. Hence the case.

3. On the basis of the written report of the informant a formal FIR was registered in Amba police station and charge of investigation was entrusted to SI Avinash Kumar who after completion of investigation submitted charge sheet against accused persons upon which cognizance was taken. The present case was committed to the Sessions Court on 19.3.2018. Charges were framed against the accused persons on 22.4.2018 to which they denied and claimed their innocence.

4. In the present case statement of the accused persons is not recorded as no evidence against the accused has come during evidence of the prosecution which could be explained to them .

2.

5. On perusal of the entire case record , it appears that not a single witness has been examined in the present case on behalf of prosecution despite being given sufficient opportunity. As such it has become a case of no evidence and the accused deserves acquittal.

6. In the result, both accused persons namely 1. Ashok Yadav & 2. Vikash Kumar Mehta@ Dablu Kumar are hereby acquitted of the charges u/s 307/149, 147, 148 IPC & 27 Arms Act. They are on bail. So, they and their bailors are also discharged from the liabilities of their respective bail bonds. They are now set at liberty.

Typed and corrected by me

Anindita Singh
ASJ II
Aurangabad
Date –28.4.26

Anindita Singh
ASJ II
Aurangabad
Date: 28.4.26

CIVIL COURT AURANGABAD

<i>Date of Judgement/order</i>	28.4.2026
<i>Date of Reserving Judgement/order</i>	28.4.2026
<i>Uploading Date</i>	29.4.2026
<i>Uploaded by</i>	Krishna Mohan