

State vs. Naresh & Ors.

CNR No.: DLCT01-000637-2011

SC No. 28225/2016

FIR No. 72/2011

PS Sadar Bazar

24.07.2024

Present : Mr. Amit Dabas, Ld. Addl. PP for the State (*through Video Conferencing*).

The accused Kishan @ Vicky and Ashish @ Pawan are present.

The office has not issued notice to SHO, PS Sadar Bazar to submit death verification report in respect of the accused Naresh. While perusing the file for dictation of judgment, it revealed that charges under Section 302 IPC and 174-A IPC were not framed against the accused Kishan @ Vicky. Moreover, the prosecution has not examined the witnesses from FSL to prove serological and chemical report. On perusal of the statement of the accused persons, it revealed that material questions were also not put to them and it would cause prejudice to the prosecution as well as the accused persons. Besides verification of the death of the accused Naresh, charges are required to be framed against the accused Kishan @ Vicky under Section 302 IPC and 174-A IPC, and the prosecution and the defence must be provided opportunity to recall or examine any witness in view of framing of charge and statement of the accused persons may be recorded afresh. The case is released from the category of judgment, as retained by this Court. The file is sent back to the concerned Court for **25.07.2024** at 02.00 p.m.

Sanjay Sharma-II
DJ (Commercial-11)
Central, THC, Delhi
24.07.2024