



SC No.:134/2022
FIR:664/2021
PS: Sarai Rohilla
State Vs Deepanshu @ Sahil & others
U/s: 395/412/34 IPC
CNR No.: DLCT01-004801-2022

ORDER ON CHARGE

23/09/2022

Present: Mr. Mohd. Iqrar, ld. Addl.PP for the State.
All three accused are present on bail.
Mr. Kowarpreet Singh, ld. Counsel for accused
Deepanshu @ Sahil.
Mr. L.S. Rana, ld. Counsel for accused Tarun and
Prashant Patel.

1. Previous cost of Rs.1000/- each have been deposited in DLSA by the accused Tarun and Prashant Patel. Receipts with regard to the same are filed today.
2. Arguments on the point of charge heard.
3. Record Perused.
4. Ld. Addl.PP has submitted that there is sufficient material on record for framing of charge U/s 395/34 IPC and separate charge u/s 412 IPC against all the accused persons.
5. Ld. Counsel for accused have argued that accused persons been falsely implicated in the present case. It is therefore, prayed that the said sections are not made out in the present case and accused may not be charged for the same.

6. Briefly, the case of the prosecution is that 04/11/2021 at about 12:00 AM, in auto taxi parking, outside of Platform No.1, Sarai Rohilla Railway Station, when complainant alongwith his co-taxi drivers was playing cards, suddenly, 3-4 accused persons came and demanded money from them. When they denied for money, accused caught hold complainant from his neck and putting him under fear and threat snatched his Rs.10,000/-. Complainant and his co-drivers objected them but they threatened them also and fled away from the spot.
7. During investigation, accused Deepanshu @ Sahil, Tarun and Prashant were apprehended and they confessed their involvement in the commission of the offence alongwith his associates namely Karan, Vivek and Vishal and others, all of whom are absconding. Accused Deepanshu @ Sahil has got recovered Rs. 350/- and accused Tarun and Prashant also got recovered Rs. 300/- (each) out of the looted amount.
8. At this stage, of framing of charge, this Court has to see whether there is sufficient ground for proceeding against the accused. It is axiomatic that even the strong suspicion that the accused has committed the crime, is sufficient to frame the charges. It is also well settled that the standard of proof adhered to at the final decision of the case is not to be adopted at the stage of framing of charge. The court is not to appreciate or weigh the evidence, which the prosecution proposes to lead during the trial.

9. There is prima facie case made out for framing of a charge **U/s 395/34 IPC** against all the accused persons and separate charge **U/s 412 IPC** against all accused persons and there is sufficient material on record to proceed against the accused persons.
10. Accordingly, charges are framed in the aforementioned sections against the accused persons namely Deepanshu @ Sahil, Tarun and Prashant Patel to which they pleaded not guilty and claimed trial.
11. List this case for PE for **23/12/2022**. Witnesses at Sl. No. 1 & 8 be summoned for the next date of hearing.

(SUSHIL ANUJ TYAGI)
ASJ-04/CENTRAL/DELHI
23/09/2022_(mk)