

State vs. Rahul @ Ganja & Ors.

CNR No.: DLCT01-004825-2022

SC No. 138/2022

FIR No. 315/2021

Under Section 147/148/149/307/326/174A/34 IPC & 25/27/54/59 Arms Act

PS Pahar Ganj

02.09.2022

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Manoj Sharma, Advocate with the complainant, namely, Rajesh Meena.
The accused persons, namely, Rahul @ Ganja and Bhupender Singh are present on bail.

1. On examination of charge-sheet, statement of the complainant, namely, Ct. Ramjeet Singh, MLC of the injured, namely, Rajesh Meena, CCTV footage, seizure memos and statement of the witnesses, there is sufficient material, *prima facie*, disclosing commission of offence under Section 307/34 IPC against the accused persons, namely, Rahul @ Ganja and Bhupender Singh.

2. Accordingly, charge under Section 307/34 IPC is framed against the accused persons, namely, Rahul @ Ganja and Bhupender Singh to which they have pleaded not guilty and claimed trial.

3. The injured, namely, Rajesh Meena filed an application for seeking police protection from the accused persons and their associates. Mr. Manoj Sharma, Advocate for the injured, namely, Rajesh Meena contended that the injured and his family members made various complaints to senior officers of Delhi Police pertaining to threats extended by associates of the said accused persons.

4. IO SI Ajay Singh stated that substantial part of the incident was recorded in CCTV footage and there is no material pertaining to complicity of the said persons, as stated in the said application, in the said incident.

5. On examination of charge-sheet, it is seen that the injured, namely, Rajesh Meena also made allegations against the said persons in his statement under Section 161 Cr.P.C. However, Investigating Officer did not find any material regarding complicity of Charan Singh, Manish Chadha @ Mannu, Neeraj Chandok @ Gopi, Gaurav Gaba @ Gaba, Sunil Gupta @ Lala, Pradeep Kumar @ Vicky Moradabadi, Deepak @ Bhoot, Kalu @ Bhuta Ram and Ram Bharose.

6. This Court does not find any merit in the said application. There is no threat to the injured, namely, Rajesh Meena. There is no credible material before the Court regarding complicity of the said persons in the said incident. There is no material pertaining to any threat extended by them to the injured, namely, Rajesh Meena.

7. Accordingly, application under Section 173 (8) Cr.P.C. filed by the injured, namely, Rajesh Meena is dismissed.

8. PW mentioned at Sl. No. 1 to 3, 6 and 7 be summoned for **03.11.2022**. PW mentioned at Sl. No. 5 and 16 to 20 be summoned for **04.11.2022**. PW mentioned at Sl. No. 8, 15, 21, 23, 24 and 26 be summoned for **05.11.2022**. IO be also summoned.

9. Issue notice to Director, FSL, *through IO SI Ajay Singh*, to make available FSL report pertaining to case exhibits within period of two weeks from today. To come up for report from Director, FSL on **16.09.2022**.

Sanjay Sharma-II
ASJ-03, Central District
Tis Hazari Courts, Delhi
02.09.2022

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