

IN THE COURT OF SH. ANKUR JAIN-I,
ADDITIONAL SESSIONS JUDGE-04:CENTRAL,
TIS HAZARI: DELHI



SC No.:497/2024
FIR: 483/2023
PS: Timar Pur
State Vs Janarjan Prasad
U/s:307 IPC
CNR No.: DLCT01-011419-2024

ORDER ON CHARGE

21/02/2026

Present: Mr. Himanshu Garg, ld. Addl.PP for the State.
Accused on bail.
Mr. Mohd. Yasir, ld. Counsel for accused.

1. Arguments on the point of charge heard.
2. Ld. Addl.PP has submitted that there is sufficient material on record for framing of charges u/s 307/323 IPC against the accused as he had not only cause grievous injuries on the head of the complainant but has also beaten a minor 'O'.
3. On the other hand, ld. Counsel for accused submits that accused in his self defence in order to save himself had caused injuries upon Arjun who is an accused in FIR No.222/2022. It is submitted that even on facts no offence u/s 307 IPC is made out as the requisite intention or knowledge was lacking.
4. I have heard ld. Counsels for the parties and perused the

record.

5. Briefly, the case of the prosecution is that a complaint was given by Soni wife of Arjun to the effect that on 19/06/2022, accused Janarjan was giving beatings to a minor when her husband objected to the beatings given to the minor, accused with a sharp stone, with the intention to kill attacked her husband and gave injuries on his head. The present FIR was registered pursuant to the order dated 13/09/2023 passed by Ld. MM where directions were given to SHO concerned to register an FIR. The MLC of Arjun reflects that on 20/06/2022, he was unfit for statement. The nature of injury has been opined to be grievous. The dismissal of the anticipatory bail application reflects that injured remained in the hospital for about three months. The intention or knowledge is to be gathered from the facts and circumstances of the case. The accused had given one single blow with such a force which resulted in fracture of head.
6. 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.

7. It is argued that in self defence accused had thrown the brick / stone. The fact whether it was thrown in self defence or not would essentially be a question of trial and cannot be decided at this stage.
8. At this stage, there is prima facie material to frame charge **U/s 307/323 IPC** against accused and there is sufficient material on record to proceed against the accused persons.
9. Accordingly, charges are framed in the aforementioned sections against the accused Janarajan Prasad to which he pleaded not guilty and claimed trial.
10. List this case for PE for **13/04/2026**. Witnesses at Sl. No.7 to 11 be summoned for the next date of hearing.

(ANKUR JAIN-I)
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