

State vs. Swapnil & Ors.

CNR No.: DLCT01-018221-2021

SC No. 748/2021

FIR No. 30/2021

Under Section 364A/377/419/347/120B IPC & 25/27 Arms Act

PS Darya Ganj

03.04.2023

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.

The accused, namely, Swapnil is present.

The accused persons, namely, Vijay Kumar, Arpit Sharma @ Sonu and Farman are produced from JC.

The accused, namely, Akash @ Hunny is not produced from JC.

ORDER ON CHARGE

On examination of charge-sheet, statements of the witnesses, Call Details Record (CDR), CCTV footage and seizure memos, this Court is of the considered opinion that a *prima facie* case under Section 364-A IPC is disclosed against the accused persons. Further, a *prima facie* case under Section 377 IPC and 25 Arms Act is disclosed against the accused, namely, Swapnil. However, there is no incriminating material against the accused, namely, Akash @ Hunny and accordingly, he is discharged. Requisite charges are framed against the accused persons. The accused persons pleaded not guilty and claimed trial. PW mentioned at Sl. No. 1 and 2 alongwith IO Insp. Raj Kumar be summoned for **19.05.2023**. Interim bail of the accused, namely, Swapnil is extended till 06.04.2023 on the same terms and conditions, as imposed *vide* order dated 15.10.2022. To come up for arguments on the application under Section 439 Cr.P.C. for seeking extension of interim bail *qua* the accused, namely, Swapnil on **06.04.2023**.

A copy of order be sent to concerned Jail Superintendent for information pertaining to discharge of the accused, namely, Akash @ Hunny and extension of interim bail of the accused, namely, Swapnil.

Sanjay Sharma-II
ASJ-03, Central District
Tis Hazari Courts, Delhi
03.04.2023

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