

State Versus Rahul etc

HRRH030062472025



Presented on : 10-03-2025
Registered on : 10-03-2025
Decided on : 02-07-2026
Duration : 1 years, 3 months, 23 days

IN THE COURT OF
Judicial Magistrate - Ist Class
AT ,Rohtak
(Presided Over by Sh. Himanshu Arya)

CHI/405/2025

State	Versus	1. Sahil S/o Balraj, R/o Village Garnawathi, Kalanaur, Rohtak.
		2. Rahul S/o Balraj, R/o Village Garnawathi, Kalanaur, Rohtak.
		3. Sahil S/o Vijaypal, R/o Village Ritoli, Shivaji Colony, Rohtak.
		4. Rishabh @ Rishu S/o Bijender, R/o Village Ritoli, Shivaji Colony, Rohtak.

..... Accused persons.

FIR No. 366 Dated 26.09.2024.
U/Ss: 115, 3 (5), 332 (C) 351 (C) of BNS.
Police Station: Kalanaur, Rohtak

Present: Mr. Mahesh, APP for the State
Accused Sahil S/o Balraj, Rahul, Sahil S/o Vijaypal and
Rishabh @ Rishu on bail with counsel Sh. Parveen
Solanki, Advocate.

JUDGMENT

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1. The present accused persons have been brought before this Court by SHO PS Kalanaur Rohtak to face trial under Sections 115, 3 (5), 332 (C) 351 (C) of BNS.

BRIEF FACTS:

2. Story of prosecution in brief is that on 26.09.2024 at around 10:00 AM, complainant Vedpal was sitting alone in his house. At that time Sahil and Rahul alongwith two other unknown boys came there and attacked upon him. Rahul was carrying knife in his hand and three other unknown boys carrying bitta in their hands and they all gave beatings to complainant and threatened him to face dire consequences. Nearby neighbours rescued the complaiannt from the assailants. On the basis of written complaint FIR was registered, and investigation was conducted. During investigation site plan was prepared, statement of prosecution witnesses were recorded and after completion of investigation challan was submitted before the Hon’ble Court.

3. Copy of challan along with documents annexed was supplied to the accused free of cost in compliance of Section 207 Cr.P.C. On finding prima facie case accused were charge sheeted under Section 115, 3 (5), 332 (C) 351 (C) of BNS. Accused persons denied all the charges and claimed trial.

EVIDENCE:

PWs	Names	Purposes
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PW1:	Vedpal	Complainant/Injured
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4. No other witness was present. Thereafter, Ld. APP for State vide separate recorded statement closed prosecution evidence as there is no possibility of improvement of case.

5. Statement of accused persons under section 313 Cr.P.C. stood dispensed with as there was nothing incriminating against the accused persons.

6. I have gone through the case file minutely and have heard the counsels at length, my point wise findings along with reasons are as follows.

FINDINGS:

7. The burden was upon the prosecution to prove that the accused persons in furtherance of their common objection and after making unlawful assembly caused simple and grievous hurt to the complainant.

8. To prove this prosecution examined PW1 complainant Vedpal. In his chief examination, he stated that on 26.09.2024, some unknown persons beated him. He has seen the accused persons present before the Court they are not the one who gave beatings to him.

9. No other witness was examined and prosecution evidence was closed by Ld. APP considering no chance of improvement in the case.

10. In view of this Court, prosecution has failed to prove the offence against the accused. Complaint PW1 Vedpal turned hostile and denied that accused persons never beated him. There is no other evidence to

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connect the accused persons with the alleged offence.

11. As a sequel to foregoing discussion and reasoning, accused Sahil S/o Balraj, Rahul, Sahil S/o Vijaypal and Rishabh @ Rishu is entitled to be set free. Resultantly, accused Sahil S/o Balraj, Rahul, Sahil S/o Vijaypal and Rishabh @ Rishu are, hereby, acquitted of the charges framed against them. Their bail bonds and surety bonds shall stand discharged. However, in view of provisions contained in section 437A Cr.P.C. accused are directed to furnish the personal bonds in the sum of Rs. 10,000/- each to appear before the Higher Court as and when such court issues notice in respect of any appeal or petition filed against the judgment of the respective court and such bail bonds shall be in force for six months. File be consigned to record room after due compliance.

Announced in open Court.
Dated :- 02.07.2026.

Himanshu Arya
Judicial Magistrate Ist Class,
Rohtak. UID No. HR0681.

Note: All pages have been dictated, checked and signed by me.

Himanshu Arya
Judicial Magistrate Ist Class,
Rohtak. UID No. HR0681.
02.07.2026

Sumit, Stenographer Gr.II

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Present: Mr. Mahesh, APP for the State
Accused Sahil S/o Balraj, Sahil S/o Vijaypal and Rishabh
@ Rishu on bail with counsel Sh. Parveen Solanki,
Advocate.
Accused Rahul not present (exemption allowed)

An application for exemption from personal appearance on behalf of accused Rahul has been moved. Heard. In view of the facts mentioned in the application, personal appearance of accused Rahul is exempted for today only.

PW1 Vedpal is present and examined. Thereafter, Ld. APP for State vide separate recorded statement closed prosecution evidence as complainant has turned hostile.

Statement of accused persons under section 313 Cr.P.C. stood dispensed with as there was nothing incriminating against the accused persons. Arguments heard. Now, case is adjourned to post lunch for orders.

Himanshu Arya
Judicial Magistrate First Class,
Rohtak. UID No. HR0681.
02.07.2026

Present: Mr. Mahesh, APP for the State
Accused Sahil S/o Balraj, Sahil S/o Vijaypal and Rishabh
@ Rishu on bail with counsel Sh. Parveen Solanki,
Advocate.
Accused Rahul not present (exemption allowed)

File put up after lunch. Order pronounced. Vide my separate judgment of even date, accused Sahil S/o Balraj, Rahul, Sahil S/o Vijay-

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pal and Rishabh @ Rishu are acquitted from all the charges levied against them. Their bail bonds and surety bonds shall stand discharged. However, in view of provisions contained in section 437A Cr.P.C. accused are directed to furnish the personal bonds in the sum of Rs. 10,000/- each to appear before the Higher Court as and when such court issues notice in respect of any appeal or petition filed against the judgment of the respective court and such bail bonds shall be in force for six months. File be consigned to record room after due compliance.

Himanshu Arya
Judicial Magistrate First Class,
Rohtak. UID No. HR0681.
02.07.2026

Sumit, Stenographer Gr.II