

SC No.39/2022

FIR No.50/2016

State Vs. Jeewan Lal & Anr.

PS : Mandir Marg

U/s. 307/34 IPC

12.09.2023

Present : Sh. Ravindra Kumar, Ld. Addl. P.P. for the State.

Accused Sanchit in person on court bail with

Sh. Naginder Singh Chauhan, proxy counsel for the
accused.

Accused Jeevan Lal is absent.

His NBW received back unexecuted with a report of
the SHO that because of the arrangements of G-20, NBW could
not be sent for execution.

The surety of the accused Parikarma is absent
despite service. From his absence, I presume that he has nothing
to say about this notice. Thereby, penalty of Rs.30,000/- is
imposed on the surety. His warrant of attachment be issued.
Fresh NBW be issued against the accused Jeevan Lal.

An application is moved under Section 216 of
Cr.P.C. by Ld. Addl. P.P. for the State seeking an amendment /
correction in the language of the Charge. Copy given.

Heard. Ld. Addl. P.P. for the State submits that in
the body of the Charge, at the first page in the 3rd and 4th line
from the bottom, it should be "*guilty of murder*" and not
"*culpable homicide amounting to murder*".

:: 2 ::

Perused the Charge. There appears to be some clerical mistake in framing the Charge. I agree with the contention raised by Ld. Addl. P.P. for the State that after the court has decided to frame the Charge under Section 307/34 IPC, the correct language should be “*guilty of murder*”. The application is thereby allowed.

As one of the accused is absent, fresh Charge be framed on the next date of hearing.

Put-up for appearance of the accused/further proceedings on **16.11.2023** (*the longer date is given at the request of Ld. Proxy Counsel for the accused stating that their quashing petition is to come-up for hearing before the Hon'ble High Court of Delhi on 08.11.2023*).

(Sanjay Garg-I)

Principal District & Sessions Judge

New Delhi District

Patiala House Courts/ND/12.09.2023_(mc)