

SC No. 158/2021
STATE Vs. DILIP
FIR No.298 /2020
PS: Seelam Pur

Physical hearing
10.11.2021

Present: Sh. R. K. Satyarthi, Ld. Addl. PP for the State.

Accused is produced from J/C.

Ld. Counsel for accused.

An application for release of accused on personal bond
filed.

Arguments on charge partly heard.

During the course of arguments, Ld. Counsel for
accused has argued that there is no evidence whatsoever against the
accused pertaining to offence under section 328 IPC as neither blood
sample nor stomach wash of the victim was seized by the doctors to
send FSL for report due to this offence is entirely based on oral
testimony of victim which is not sufficient to invoke section 328 IPC
against the accused. It is further argued that accused is liable to be
discharged.

On the other hand, Ld. Addl. PP for the state has argued
Fthat there are oral statements of complainant and other witnesses to
support this allegation and rest is matter of trial, but IO can only
explain as to why he did not seize any material pertaining to section
328 IPC as victim was found under the influence of some unknown
substance.

Heard.

Let IO be summoned for 24.11.2021.

(Devender Kumar)
ASJ-02(NE), KKD/Delhi
10.11.2021