

SC No. 206/2021
State Vs. Imran & Anr.
FIR No. 214/2020
PS Bhajan Pura

22.12.2021

Present: Sh. R. K. Satyarthi, Ld Addl. PP for the State with IO.
Both accused produced from JC.
Ld. Counsel for accused.

Arguments heard.

As per allegations of the prosecution, on 17.03.2020 at 8.25 pm in front of B-1/30 Building, Noor Eillahi to Anand Sagar road, Yamuna Vihar, Delhis, both accused in furtherance of their common intention committed the robbery of mobile phone make OPPO from the possession of Saurabh Gupta and when he resisted, he was caused injuries. One of accused was apprehended by ASI Ravinder and other by injured. Even one pistol was also recovered out of possession of accused Imran @ Model, whereas stolen property was recovered from the possession of accused Imran S/o Rahid, which was retained by him despite knowing or having reason to believe to be a looted property. As such, prima facie offences u/s 394/34 IPC are made out against both accused persons, whereas charge u/s 411 IPC is made out against accused Imran S/o Rasid. Offences u/s 397 IPC and 27 of Arms Act are also made out against accused Imran @ Model.

Though accused Imran @ Model has also been charge-sheeted u/s 25 of Arms Act, yet FSL report qua weapon is still awaited and IO has submitted that it is not ready. In the absence of FSL report and sanction u/s 39 of Arms Act, no charge u/s 25 of Arms Act is made out against accused to frame charge at this stage, but prosecution is at liberty to pursue framing of charge in case of receiving sanction u/s 39 of Arms Act against the accused, as and when FSL report and sanction u/s 39 of Arms Act is received.

Charges under appropriate provisions framed against the accused persons, to which, they pleaded not guilty and claimed trial.

Put up for PE on **28.02.2022**.

All the material witnesses be summoned for the next date of hearing.

(Devender Kumar)
ASJ-02(NE), KKD/Delhi
22.12.2021