

SC 72/2026
STATE Vs. NAKUL-YASH-NIKKU
FIR No. 318/2025
(KARAWAL NAGAR)

03.06.2026

Present: Sh. Abhishek Pandey, Ld. Addl. PP for the State.
Accused Akash @ Panchal and Shiva are produced from JC.
Accused Nakul in person.
Sh. R.K. Santoshi and Amrit Anand, Ld. counsel for the accused Akash Panchal.
Sh. Mahender Kumar and Sh. Mohit Pathak, Ld. counsel for the accused Nakul.
Sh. Divyanshu Suman, Ld. counsel for the accused Shiva.

Report regarding application of accused Aakash Panchal for transfer from this jail is received from Jail Superintendent wherein it is mentioned that request of applicant/accused Aakash Panchal will be put before the Transfer Committee and outcome of the same will be filed accordingly.

ORDER ON CHARGE

1. As per the case of prosecution, complainant Shrikant who is doing LLB was going on car at 08.15 am to Tis Hazari Court from his house. When he reached on his car bearing no. 5257 gray colour near Nala Road, house no. 120 main road, a Punch Car came from back side and overtook his

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car from left side and stopped the Punch Car in front of his car. Complainant stopped his car. Then two persons got down from Punch Car who had pistol in their hand and one boy was sitting on the driving seat. Both the boys who had come out from the car fired at the complainant, resultantly he received bullet injuries while sitting on the driving seat. After firing at him, the Punch Car ran away, complainant could not note the number of the car. Then he went to his house where his brother who had taken him to GTB Hospital. Further, he identified both the accused as is mentioned in his complaint.

2. However, this incident was witnessed by one W/HC Saroj whose house is at the spot and who had seen this incident. She made PCR call at 08.34 am on 16.10.2025 that one car bearing DL14C 0130 arrived at the spot, two persons came out and starting firing at the other car. The car which was attacked has also went away from the spot. She mentioned car number also in her PCR call.

3. As per the case of prosecution, it is accused Shiva and one Sonu Haryanvi (PO) who had come out of the car and fired at complainant but said Sonu Haryanvi is PO and accused Shiva was identified in TIP by complainant. Further, the car which was used in the commission of offence was recovered

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and GPS was installed in this car. The IO has obtained location and its location was at spot at the time of incident. Five empty cartridge were recovered from spot, there are marks of firing at the car of injured. Injured / complainant suffered bullet injuries on his arm and one bullet injury on his abdomen.

4. It is argued by Ld. counsel for accused Shiva that there is no CCTV footage to show the presence of Shiva at the spot and no weapon is recovered from him. Further submitted that Shiva was identified in TIP as he was already known to the complainant. However, only because there is no CCTV footage whereby capturing Shiva at the spot where incident had taken place, it cannot be said that no charge is made out. Accused Shiva is identified in TIP, hence, prima facie there is material on record to frame charge against him. Further, the defence that accused Shiva was already known to complainant is concerned, it is defence of accused which is to be proved in due course.

5. As far as accused Nakul is concerned, there is CCTV played in the Court which is mentioned in order sheet dt. 08.05.2026. Accused Nakul is visible in the CCTV footage which was played on 15.10.2025. Further, there are two mobile phones which are recovered from Nakul and they are to be

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sent to FSL as was stated by IO. Further, it is the specific case of prosecution that they were to commit the offence on 15.10.2025 when he was present with co-accused and car, in CCTV footage but offence could not be committed that day.

6. As he is visible in the CCTV footage one day prior to the incident dt. 15.10.2025 with co-accused with car, which is a part of the entire story / conspiracy to commit the offence, there is prima facie there is material on record to frame charge against accused Nakul also.

7. As far as accused Akash Panchal is concerned, it is mentioned in order sheet dt. 08.05.2025 that he is visible with the Punch Car in CCTV footage on 15.10.2025 and 16.10.2025. There is motive on his part to commit the offence i.e. prior enmity. Rest is a matter of trial, hence, prima facie there is material on record to frame charge against him also.

8. In view of the above discussion, there is sufficient material on record to **frame charge against all the accused persons for attempt to murder u/s 109/3(5) BNS**. Further, it is narrated in detail in charge sheet how the entire conspiracy was hatched by accused persons. **Prima facie charge u/s 61 (2) BNS is made out against all accused persons.**

9. Further, as per the case of prosecution, it is

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accused Shiva who had used firearm for the purpose of commission of offence alongwith co-accused Sonu @ Haryanavi (PO), **hence prima facie charge u/s 27 of Arms Act is made out against accused Shiva.**

10. Charge has been framed against all the accused persons under Section 109/3(5) BNS r/w Section 61(2) of BNS to which accused persons pleaded not guilty and claimed trial. Further, another charge u/s 27 of Arms Act is also framed against accused Shiva @ Shiva Vardaat to which he pleaded not guilty and claimed trial.

11. Let complainant and witness at serial no. 12 be summoned for the NDOH. IO and MHC(M) alongwith case property be also summoned for the NDOH.

12. Put up for PE on **18.09.2026.**

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
03.06.2026/nk