

31.07.2023

Present: Sh. Vikas Kumar, Ld. Addl. PP for the State.
Accused is produced from J/C.
Sh. Devendra Baliyan, Ld. Counsel for accused.
IO/ASI Khurshid Ali is present.

1. Bail application of accused is pending for disposal.
2. After addressing arguments for some time, Ld. Counsel for accused wants to withdraw the afore-said bail application. In view of submissions made by Ld. Counsel for accused, the bail application of accused Firoj is dismissed.
3. IO submits that FSL result has not received yet in this case. Some police official had been sent to FSL. It is reported that result is not ready.
4. Matter is at the stage of arguments on charge. Arguments on charge have been heard.
5. The FIR was registered on the statement of Shabbir Ahmed aged about 73 years who stated that he was running a grocery shop in his house and was residing at H. No. D-338, Gali No.1, Near Jeenat Masjid Noor Ilahi, North Ghonda, Delhi. His son Mohd Aslam was running a factory of jeans. Aslam had employed accused Firoj for the last 15 days prior to the incident. Firoj was working as tailor in the jeans factory. Accused Firoj used to visit the residential house of the victim quite often as some raw material used to be kept at home. In the intervening night of 15/16.03.2023, at about 1.00 am, the victim was sleeping in his house in the room adjoining to his grocery shop. At about 1.40 am, the victim felt pressure on his chest; he woke up and found that accused was sitting on his chest. When he resisted him, accused hit on his head and other parts of body with an iron piece. Victim received several injuries, three of which were on head and

were sutured. Injuries have been opined to be simple in nature by medical expert. After having hit the victim, accused tried to run away from the spot with amount of Rs.3 lacs which was kept by the victim under his pillow. The victim attempted to apprehend the accused and in this effort, while accused ran away, shirt worn by him was left in the hand of the victim wherein the mobile phone of the accused was kept. Stolen amount could not be recovered.

6. Under these circumstances, a prima facie case under section 308/394/ 457 IPC is made out against the accused Firoj.

7. Put up for framing of charge on 25.08.23.

(Savitri)
ASJ-02(NE)/ KKD/Delhi
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