

01.05.2023

Present: Sh. Vikas Kumar, Ld. Addl. PP for the State.
Accused Naved is produced from JC with Sh. Salman Abbasi, Ld. Counsel.

1. Matter is fixed for arguments on charge. Briefly stated allegations are that accused had threatened the victim Sameer as victim was having friendship with a girl named Kaushar. Accused had threatened him to stop talking to Kaushar or otherwise he would kill him.

2. On 09.01.2022 at 10:00pm, the victim was standing near the gate of Tent wala School, Gali no. 20, Old Mustafabad, Delhi. The accused alongwith his juvenile accomplice came there and said to the victim that he still had not stopped to talk to Kaushar, victim replied that now he did not talk to her. Accused was not satisfied and he said "*Tu jhoot bol raha hai, main tujhe aaj nahi chodunga*" and suddenly he took out a pistol and fired the bullet and hit the victim on his abdomen. According to the medical opinion, the injury was simple. The weapon of offence alongwith one cartridge which is loaded and 1 empty cartridge was recovered from the possession of accused on 11.01.2022 at about 9:00pm.

3. In these circumstances, prima facie, offence u/s 307/34 IPC r/w offence u/s 25 & 27 Arms Act is attracted against him. Accordingly, charge has been framed today. Accused does not plead guilty and claims trial.

4. Ld. Counsel for defence shall take stand on NDOH, if he would like to admit the statements of formal witnesses u/s

161 Cr.P.C. and documents prepared by them. The witnesses are mentioned at serial nos. 6,8,9,12,13,14 and 15 of the list. Issue notice to IO to furnish FSL result as well as contacts nos. of all the witnesses on NDOH.

5. Now, matter is fixed for PE as follows :-

(i) 26.07.2023 for evidence of witnesses at serial no. 1 and 5 as per the list of witnesses.

(ii) 10.08.2023 for evidence of witnesses at serial no. 2 and 6 as per the list of witnesses.

(iii) 01.09.2023 for remaining evidence.

PWs be summoned accordingly. IO and MHC(M) shall remain present on each date of hearing.

(Savitri)
ASJ-02(NE)/ KKD/Delhi
01.05.2023