

SC No. 378/2021
State Vs. Sanjay Sharma
FIR No. 344/2020
PS Karawal Nagar

18.04.2022

Present: Sh. Ajit Kr. Srivastava, Ld. Addl. PP for State.
Accused produced from JC.
Sh. Dipesh Chaudhary, Ld. Counsel for accused.

Bail application of accused Sanjay Sharma is pending for disposal.

Arguments on bail application heard.

Ld. Counsel for accused has submitted that accused has been lying in JC since his arrest, whereas chargesheet has already been filed and he is not further required for any investigation purpose. It is further submitted that accused has been falsely implicated in this case and completion of trial would take time, due to accused may be admitted on bail.

On the other hand, Ld. Addl. PP for State has strongly opposed this application on the ground that the allegations against the accused are of serious in nature and release of accused may hamper trial. It is prayed that bail application is liable to be dismissed.

I have heard the arguments and perused the record.

As per allegations of the prosecution, accused doubted infidelity of his wife with victim and committed the murder of Avneesh Tyagi on 30.06.2020 inside the parental house of his wife. One Krishan Pal informed the police that his son-in-law had murdered Avneesh Tyagi and fled away. Police arrested the accused and also seized the weapon of offence which was used during the incident. In view of severity of allegations, I am not inclined to admit accused on bail, hence application dismissed.

Arguments on charge heard.

As per the allegations, on 30.06.2020 at 5.42 pm, at House No. A-1/37, Gali no. 2, Prem Vihar, Shiv Vihar, Karawal Nagar, Delhi, accused committed the murder of Avneesh Tyagi by causing him bullet injuries. Later on, countrymade pistol alongwith cartridges were recovered from his possession. He also tried to destroy his blood stained shoes in order to save himself from legal punishment. As such, prima facie offence u/s 302/201 IPC is made out against accused Sanjay Sharma. Prima facie offence u/s 27 of Arms Act is also made out against him as he used unlicensed countrymade pistol in contravention of Section 5/7 of arms Act to commit the murder, but no charge u/s 25 of Arms Act is made out at this stage for the want of mandatory sanction u/s 39 of Arms Act as well as FSL report.

Charges u/s 302/201 IPC and 27 of Arms Act are framed against accused Sanjay Sharma, to which, he pleaded not guilty and claimed trial.

Put up for PE on **02.06.2022**.

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

(Devender Kumar)
ASJ-02(NE), KKD/Delhi
18.04.2022