

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

02.06.2022

Present: Sh. Ajit Kr. Srivastava, Ld. Addl. PP for State with IO.
Accused produced from JC.
Ld. Proxy Counsel for accused.

Case is fixed for PE, but Ld. Addl. PP for State has submitted that on the last date of hearing, charges were framed against the accused, but due to oversightness of sanction u/s 39 of Arms Act, charges could not be framed against accused u/s 25 of Arms Act and same may be framed against the accused as evidence is yet to be recorded.

On the other hand, Ld. Proxy counsel for accused has not opposed this submission and has submitted that appropriate order may be passed.

Heard.

On the last date of hearing, charges u/s 302/201 IPC and 27 of Arms Act have already been framed against the accused, but charges u/s 25 of Arms Act could not be framed under the impression that FSL report and sanction u/s 39 of Arms Act were not on record, whereas both the documents are already part of record. Weapon was duly recovered from the accused and accused has failed to produce any valid license for the possession of such weapon / countrymade pistol and sanction u/s 39 of Arms Act coupled with FSL report is already on record, accordingly, prima facie charges u/s 25 of Arms Act is also made out against accused Sanjay.

Charge u/s 25 of Arms Act is framed against the accused, to which, he pleaded not guilty and claimed trial.

PW1 Mohan Kumar Sharma is present and his examination-in-chief is recorded, but cross examination of PW1 is deferred as main counsel is stated to be suffering from Covid. Ld. Counsel shall produce Covid report on the next date of hearing.

PW1 be summoned again for the next date of hearing.

Put up for PE on **16.09.2022**.

Material witnesses be summoned for the next date of hearing.

(Devender Kumar)
ASJ-02(NE), KKD/Delhi
02.06.2022