

SC No. 414/2022
State Vs. Shivam@Sahil
FIR No.854 /2018
PS New Usman Pur

12.02.2024

Present: Sh. Vikash Kumar, Ld. Addl. PP for the State.
All the accused are present on court bail with their
respective counsels.

1. An application seeking discharge of accused Manoj is pending for disposal.
2. IO/ASI Naushad Haider has invited my attention to statement under section 161 Cr.P.C of the victim Gaurav Shukla wherein he has clearly mentioned the name of accused Manoj as one of the assailants and also alleged that accused was using baseball to assault victim side.
3. Under these circumstances, application seeking his discharge is dismissed.
4. Ld. Counsels for other accused concede charges.
5. The present FIR has been registered on the statement of victim/complainant V. K. Shukla. In his statement to the police, he had mentioned that on 26.10.18 at around 10.00 pm, his youngest son Naman had taken family pet dog outside for walk. When Naman reached near Bikaner Sweets at Gamri Road, one of the accused namely Sahil came there on motorcycle and was about to hit the pet dog. Naman warned him saying "*bhai kutta hai, kaat lega*". At this, accused got down the motorcycle, abused and slapped Naman.
6. Naman called the complainant. Thereafter complainant and his other son Gaurav went to the spot. Accused persons were armed with danda and baseball bat. Complainant side i.e complainant and his both sons were beaten by accused persons with arms which

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they were carrying. As a result, V. K Shukla suffered grievous injuries i.e fracture of his leg. Naman also suffered injuries. Naman called at 100 number and injured were taken to the hospital by Gaurav. The names of accused persons were disclosed as Sahil, Raju @ Kaushal, Farhan and Manoj.

6. Under these circumstances, prima facie offences under section 308/323/325/34 IPC are attracted against all the accused persons.

7. Put up for framing of charge on 20.03.2024.

(Dr.Savitri)
ASJ-02(NE)/ KKD/Delhi
12.02.2024

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