

20.02.2023

Present: Sh. Indresh Kr. Gupta, Ld. Addl. PP for the State with IO/SI Rajinder Sharma.

All accused persons are present on court bail with Sh. Wasim Khan, Ld. Counsel for all accused.

1. Ld. Counsel for all the accused persons concede charge. Briefly stated allegations are that victim Mohsin is a scrap dealer. Accused Hasim is his cousin(son of tau). Victim had lent a sum of Rs. 5,000/- to accused Hasim; when he demanded his money back from accused Hasim, accused Hasim evaded on one or other pretext.

2. On 23.08.2018, at about 11:00PM, accused Hasim called the victim on the pretext of inviting him for the feast of Eid festival and also to return back the borrowed money. When the victim reached near Raja Biryani wala, Seelam Pur, accused Hasim was already present there with his associates (i.e. 2 other accused) and they were armed with hockey, dandas etc. They made the victim stop and his scooty and beat him mercilessly with hockey, dandas and with kicks and fists. The victim fainted after beatings and had injuries on head and limbs. Two other accused namely Mohd. Asif and Waseem were identified as the associates of accused Hasim.

3. Considering overall circumstances, prima facie offence u/s 308/341/34 IPC is attracted against all the accused persons. Charge has been framed against all the accused persons to which they plead not guilty and claim trial. Issue summons to complainant for NDOH.

4. Ld. Counsel for accused 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.3 and 4 of the list.

Now, matter is fixed for PE as follows :-

- (i) 01.04.2023 for evidence of witnesses at serial no. 1 and 2 as per the list of witnesses.
- (ii) 06.04.2023 for evidence of witnesses at serial no. 5 and 6 as per the list of witnesses.
- (iii) 14.04.2023 for remaining evidence.

PWs be summoned accordingly. MHC(M) and IO/SI Naveen shall remain present on all dates of hearing.

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