

CNR No.:DLNT01-001255-2025

SC No. 56/2025

STATE Vs. Ajay @ Thas and Santosh Bahadur Thapa @ Rohit @
Adiya

FIR No. 866/2024

PS Samaipur Badli

U/s: 109(1)/309(6)/311(3)(5) BNS

24.02.2026

Present: Sh. J. S. Malik, Ld. Addl PP for State.
IO / ASI Umesh Kumar in person.
Both accused persons namely Ajay @ Thas and
Santosh Bahadur Thapa @ Rohit @ Adiya produced
from J/C.
Sh. J.K. Kalson, Ld. Deputy Chief Legal Aid
Counsel for both accused persons.

Ld. Deputy Chief Legal Aid Counsel for both accused
persons has submitted that both the accused persons namely Ajay
@ Thas and Santosh Bahadur Thapa @ Rohit @ Adiya wants to
concede on the point of charge and has submitted that charge under
appropriate Sections in law may be framed against both the above-
named accused persons.

Perused the record including the statement of
witnesses recorded during investigation.

In case titled as Bhawna Bai Vs. Ghanshyam and
others, (Criminal Appeal No. 1820 of 2019) Arising out of
SLP(Crl.) No. 6964 of 2019, Hon'ble Supreme Court of India has
observed in para 16 of the said judgment as under:-

*“Para 16.....For framing the charges
under Section 228 CrI.P.C, the judge is not required to record
detailed reasons. As pointed out earlier, at the stage of framing the
charge, the court is not required to hold an elaborate enquiry; only
prima facie case is to be seen. As held in Knati Bhadra Shah and
another V. State of West Bengal (2000) 1 SCC 722, while
exercising power under Section 228 CrI. P.C, the judge is not
required record his reasons for framing the charges against the
accused.....”*

....Contd2/-

In view of the afore-said case law, detailed reasons for framing of charge are not required to be given.

On perusal of the afore-mentioned material on record and after hearing Ld. Addl PP for state and Ld. Counsel for both accused persons, a prima facie case for offence punishable U/s 109(1)/309(6)/311/3(5) BNS is made out against accused persons namely Ajay @ Thas and Santosh Bahadur Thapa @ Rohit @ Adiya that there are strong suspicion that they had committed the said offences. Accordingly, charges has been framed against accused persons namely Ajay @ Thas and Santosh Bahadur Thapa @ Rohit @ Adiya for the offences punishable U/s 109(1)/309(6)/311/3(5) BNS to which they pleaded not guilty and claimed trial.

Be put up for PE on 09.06.2026.

Let PWs whose name has been mentioned in the list of prosecution witness at serial no.1 and 2 be summoned along with IO /ASI Umesh Kumar for NDOH.

Rehnumai of accused persons through VC after every 14 days through VC.

(Sushil Kumar)
Addl. Sessions Judge-04
North District Rohini Courts Delhi
24.02.2026 (R)