

SC 166/2018  
STATE Vs. SANDEEP @ RAJU AND OTHERS  
FIR NO. 314 /2017  
PS Bawana

**19.01.2024**

Present:- Mr. Nishant Kumar, Ld. Additional PP for the State.

Ms. Puja Gupta, ld. Counsel for accused Lokesh Goyal along with accused Lokesh Goyal in person on bail.

Accused Sandeep @ Raju is absent despite wait and repeated calls.

Arguments heard on behalf of accused Lokesh Goyal.

It is submitted by ld. Counsel for accused Lokesh Goyal that he be discharged in the present case.

The present case has been registered on the basis of PCR call received on 04.04.2017 at about 8.30 a.m. regarding suicide at Factory bearing no. L-36 at Bawana Industrial Area, PS Bawana. The victim was identified as one Pappu and he was informed to be the brother of accused Sandeep @ Raju. Accused Lokesh Goyal is merely the owner of the said factory where the incident happened. The role assigned to accused Lokesh Goyal is that he had identified the deceased at the time of inquiry from the police officials.

There is a vital piece of evidence on record which is a CCTV footage. From the record, however, it transpires that a scuffle stands captured between accused Sandeep @ Raju, his wife and deceased in the night of 03.04.2017 at about 11.20 p.m. on some issue and thereafter in CCTV footage, accused Sandeep @ Raju and his wife were seen going to the top floor where they were residing and thereafter deceased can be seen at about 12.15 a.m. carrying a ladder from the top floor to his room, where he

was found hanging by accused Sandeep @ Raju, when he came down at about 6.00 a.m.

*As per postmortem report death is due to asphyxia secondary to constriction of neck structures as result of hanging. The ligature mark and injuries were antemortem, fresh in duration and could be caused due to blunt force trauma/blunt surface impact prior to the death.*

There is no incriminating evidence against accused Lokesh Goyal except that he was the owner of the factory. No active role has been assigned to the said accused. There is nothing to suggest that he instigated the scuffle between accused Sandeep @ Raju, his wife and deceased and infact he was not even present at the spot on that night.

In these circumstances, in the absence of any incriminating evidence against the accused Lokesh Goyal, prima facie, **no case is made out against accused Lokesh Goyal and he stands discharged from the present case.**

As regards accused Sandeep @ Raju, neither accused nor his counsel is present today despite wait and repeated calls.

In the interest of justice, no adverse order is being passed against Sandeep @ Raju and one opportunity is granted to him to adduce arguments on the point of charge.

Put up for arguments on the point of charge on behalf of accused Sandeep @ Raju on **27.02.2024.**

**(Shefali Sharma)**  
**Addl. Sessions Judge-02(North)**  
**Rohini Courts Delhi**  
**19.01.2024**