

STATE Vs. Prem Narayan & Anr.
FIR No. 255/1993
PS Narela
U/s: 302/34/174A IPC

25.11.2024

Present: Sh. Sanjay Jindal, Ld. Addl PP for State.
Accused persons namely Prem Narayan and Daya Ram produced from J/C.
Sh. Maqsood Hussain, Ld. Counsel for accused persons namely Prem Narayan and Daya Ram.

File has been summoned from Record Room upon receipt of supplementary charge-sheet qua accused persons namely Prem Narayan and Daya Ram, therefore, the present case file is restored to its original number.

Ld. Counsel for accused submits that accused persons namely Prem Narayan and Daya Ram wants to concede on the point of charge and has submitted that charge under appropriate Sections in law may be framed against the accused persons namely Prem Narayan and Daya Ram.

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 accused, a prima facie case for offence punishable U/s 302/174A/34 IPC is made out against accused persons namely Prem Narayan and Daya Ram that there are strong suspicion that he had committed the said offences. Accordingly, charges U/s 302/174A/34 IPC has been framed against accused persons namely Prem Narayan and Daya Ram to which they pleaded not guilty and claimed trial.

Be put up for PE on **10.01.2025**.

Let PWs namely Ms. Meera Devi, Smt. Somwati, Ms. Yashoda and Sh. Babu Lal along with IO be summoned through SHO concerned for NDOH.

(Sushil Kumar)
Addl. Sessions Judge-04
North District Rohini Courts Delhi
25.11.2024 ^(R)