

4 CC NI ACT 722/2022
MAHINDER KUMAR SAINI
Vs. HARJINDER SINGH (Patel Nagar)

20.01.2026

Present matter has been received by way of transfer from Digital Courts to this physical Court.

This Court is physical Court. For physical appearance, parties / counsels shall appear from Court room no. 508, Extn. Block, THC.

Present: Sh. Abhishek, Ld. proxy counsel for complainant along with complainant in person.
Sh. Rohit Goel, Ld. counsel for complainant through VC
Sh. Saud Khan, Ld. counsel for accused in person.
Accused in person.

Surety bonds filed. Considered and Accepted. FDR retained.

Ld. counsel for accused undertakes to furnish the medical documents directed vide last order.

Accused states that copy of the Complaint has been received and gone through.

Heard on notice. There are sufficient grounds to frame notice against the accused and proceed to trial. Section 251 Cr.P.C. does not require a formal charge to be framed and the only requirement is that particulars of offence and substance of the accusation should be stated to the accused, which has been done in vernacular. Further, in view of Section 256 (g) Cr.P.C. and the guidelines laid down by Hon'ble High Court of Delhi in case of *Rajesh Aggarwal & Anr. Vs. State 171 (2010) DLT 51*, the exact requirement now is to record the plea of the accused and the specific defence. Recorded separately.

Statement of accused under Section 294 Cr.P.C. has also been recorded.
Consequent to statement u/s 294 Cr.P.C., witness cited at Serial No. 5 & 6 in list of witnesses by Complainant stand dropped.

Ld. counsel for accused seeks time to file the applicaton u/s 145(2) NIA. Be filed within 2 weeks.

Keeping in view the defence raised by the accused, I am of the considered opinion that the cross-examination of the Complainant is pertinent to facilitate the course of

justice. This Court further does not deem it appropriate/desirable to try the case as a summary trial given the nature of the evidence. Therefore, this case would now be tried as a summons trial case.

Parties with counsel and witness to remain physically present in Court for next date of hearing.

Evidence affidavit of complainant's witnesses be furnished within 2 weeks.

Advance copy be supplied.

List for CE on **23.03.2026** at joint request.

Parties are directed to appear physically from Court room no. 508, Extn. Block

THC.

SHIVANGI MANGLA
JMFC (NI Act) -05, West
Tis Hazari Courts, Delhi 20.01.2026