

CNR No.: DLNT01-006992-2021

SC No.: 460/2021

STATE Vs. RAJU ETC

FIR No. : 596 /2021

PS : Jahangir Puri

u/s : 302/120B/201/34 IPC and

25/54/59 Arms Act

02.08.2022.

Present: Sh. Sanjay Jindal, ld. Addl. PP for the State.
All accused persons produced from JC.

Sh. Mukesh Chauhan, ld. counsel for Ankit @ Dudhiya.
Sh. Surya Bhan Dinkar and Sh. Ajay Kumar, ld. counsels for
accused Raju.
Ms. Ranjana Ranjan, Ld. counsel for accused Shankar.

Fresh Vakalatnama filed by ld. counsel on behalf of accused Raju.

The same is taken on record.

At this stage, it is submitted by Sh. Gyan Chandra, ld. counsel for
accused Raju that he has engaged some other counsel. Therefore, he seeks
permission to withdraw the bail application of accused Raju and also seeks his
discharge from the present case. Separate statement has been recorded to this
effect.

Heard. Allowed.

Sh. Gyan Chandra, ld. counsel for accused Raju is discharged from
the present case.

The matter is listed for arguments on charge.

Ld. counsel for the accused Raju has conceded for the framing of
charge The matter is listed for arguments on charge.

Ld. counsel for the accused has conceded on the point of charge and has submitted that charge under appropriate Sections of law may be framed against the accused.

Ld. counsels for accused Ankit @ Dudhiya and Shankar have stated that they are not visible in the CCTV footage and they have been falsely implicated by the police officials. They have further stated that the place where the incident had occurred is visited by many members being a public place and no independent witness had been incorporated by the IO as they have been falsely implicated.

Ld. Addl. PP for the state submitted that witnesses namely Ravi, Master Aditya, Fateh Singh, Sonu and Dheeraj have specifically named the accused persons and specific roles have also been mentioned in the statements and they are equally liable for the offence of murder.

Heard.

The CCTV footage relied by the ld. counsel does not have the actual incident covered. The CCTV footage are of some distance and merely shows that accused persons had gathered near the place of incident. This itself may not be sufficient but at the time of framing of charge the statements of the witnesses are very much material and after having gone through them a prima facie case u/s 302/34 IPC is made out. The specific charge with regard to Section 25 Arms Act will be considered after the filing of FSL report and sanction u/s 39 Arms Act.

At this stage, ld. Addl. PP for the State submitted that FSL report and sanction u/s 39 Arms Act is still pending, hence charge cannot be framed.

Let a priority letter be issued to Director (FSL), with direction to expedite the FSL result of this case on or before the next date of hearing.

The SHO concerned is directed to keep in touch with the Director (FSL) qua the FSL result and in case the same is ready, obtain the same and file before the Court along with sanction u/s 39 Arms Act on or before the next date of hearing.

Put up for filing FSL result alongwith sanction u/s 39 Arms Act/framing of charge on **28.10.2022. IO to appear in person on the said date.**

At this stage, it is submitted by Id. Counsel for the accused Ankit @ Dudhiya that the cost of pair of shoes in the Jail is worth Rs.10,000/- and he is unable to purchase such a costly pair of shoes.

Let a report be called from concerned Jail Superintendent, Central Jail No. 5, Tihar, New Delhi about the availability and cost of simple shoes without laces within a week.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:02.08.2022(R)