

SC No. 514/2023  
State vs. Shahnwaz @ Pardhan & Anr.  
FIR No. 438/2023  
U/s 392/397/411/34 IPC  
& 25 Arms Act  
PS S.P. Badli

18.10.2023

Present : Sh. Girish Giri, Ld. Addl. PP for the State.  
Accused Shahnwaz @ Pardhan in JC with Ld.  
Counsel Sh. Deepak Kumar.  
Accused Amarjeet @ Kali in JC with legal aid  
Counsel Sh. J.K. Kalson.

At this stage, Ld. Addl. PP for the State has moved an application under provisions of Section 216 Cr.PC seeking amendment/modification in the Charges framed against both the accused persons on 20.09.2023. Copy of the application has been supplied to Ld. Counsels for both the accused persons.

Heard. Record perused.

Indeed, there is an error in the Charges framed on 20.09.2023 inasmuch as the stolen property only comprised cash amount of Rs. 2600/-, but in the Charge framed u/s 411 Cr.PC against accused Shahnwaz @ Pardhan, some other articles have also been mentioned inadvertently.

Furthermore, the knife which was recovered in the instant case, was recovered at the instance of accused Amarjeet @ Kalia, however, inadvertently, it was mentioned in the Order dated 20.09.2023 that it was recovered at the instance of the complainant, which is totally contrary to the record.

Ld. Counsels for both the accused persons, accordingly, submit that they have “no objection” if the

*contd.....*

application under reference is allowed and if the Charges are amended/modified. Joint statement of both the Ld. Counsels, to this effect, has been recorded separately.

Since the evidence has yet not commenced and no prejudice is to be caused to the accused persons, the application under reference is allowed.

Amended Charges for the offences punishable u/s 392/34 IPC and u/s 411 IPC are framed against the accused Shahnwaz @ Pardhan and Amended Charges u/s 392/34, u/s 397 IPC and u/s 25 Arms Act, are framed against accused Amarjeet @ Kalia. Both the accused persons have pleaded not guilty and claimed trial.

IO SI Ajay and the complainant Narender Kumar are absent despite service of summons.

Issueailable warrants in the sum of Rs. 2000/- each against IO SI Ajay and Narender Kumar, for the next date of hearing.

Put up for PE on 10.11.2023.

(Seema Maini)  
Principal District & Sessions Judge (North)  
Rohini Courts,

Delhi/18.10.2023