

SC No. 735/20158 (Old SC No.111/18 )  
FIR No. 100/2016 P.S.- Swaroop Nagar  
u/S 308/394/397/323/341/34 IPC

**State Vs. Raju & Ors.**

**17.12.2018**

Present:- Shri Pankaj Bhatia, Ld. Addl. PP for the State.  
All accused persons namely Raju, Abhishek @ Banty and Rakesh Kumar @ Monu are present on bail alongwith Ld. Counsel Sh. Pramod Kr. Tiwari.  
Sh. Praveen Kumar, Ld. Counsel for the complainant (**fresh vakalatnama filed**).

Arguments on the point of charge(s) heard.

In the present case, the chargesheet has been filed punishable u/s 308/394/397/323/341/34 IPC, however, perusal of the statement of eye witnesses reveals that they have not alleged about the robbery being committed upon the complainant. The perusal of the statements of complainant Yakub Hasan @ Chotu further reveals that he had only raised suspicion that after he lost his consciousness, the offenders might have taken away cash and gold chain. No recovery has been effected from any of the accused persons nor any of the eye witnesses have alleged robbery being committed upon the complainant Yakub Hasan @ Chotu by the accused persons.

After having gone through the FIR, MLCs on record, statements of the witnesses recorded u/s 161 Cr.P.C. and other material and documents available on the record, a prima facie case U/s 341/307/323/34 IPC is made out against all the accused persons.

Accordingly, formal charge(s) for the offence(s) u/s 341/307/323/34 IPC has been framed against all the accused persons to which they plead not guilty and claim trial.

Be listed for PE on **10.04.2018**.

PWs Nos. 1, 14 & 15 along with IO & MHC (M) be summoned for the next date.

(Sanjeev Aggarwal)  
Addl. Sessions Judge-02(North)  
Rohini Courts Delhi  
**17.12.2018**