

SC No. 637/17
FIR No. 104/17
P.S. Shahbad Dairy
State Vs. Anand Rohil etc.

15.11.2017

Present: Sh. Pankaj Bhatia, Ld. Additional PP for the State.
Both accused on bail with counsel Sh. Shyam Lal Sharma.

Ld counsel for accused has conceded that appropriate charge may be framed against accused Bijender, however, he has argued that no active role has been assigned to co-accused Anand Rohit, as the allegations against him are only regarding the threat.

I have perused the statement of complainant/injured Shivam. The complainant has levelled the allegation that co-accused Anand was also present at the spot and he had exhorted his father Bijender to kill him(Shivam) and injured Ranbir. As per the MLC result both the injured had sustained stab injuries dangerous to life. Thus, there is prima facie evidence on record to establish the common intention of both the accused. The provisions under Section 506 IPC are not attracted in the facts and circumstances.

Hence, prima Facie case under Section 307 /34 IPC is made out against both the accused. Charge has been framed accordingly to which both the accused persons plead not guilty and claim trial.

Put up for P.E on 14.03.18. Issue summons to both the injured and IO for the next date.

(Sukhvinder Kaur)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi: 15.11.2017