

CNR No. : DLNT01-007284-2022

SC No. : 636/2022

STATE Vs. SAMEER ETC.

FIR No. 153 /2022

PS NARELA

U/s. 302/506 IPC

06.12.2022

Present: Sh. Sanjay Jindal, ld. Addl. PP for the State.
Accused A1 and A3 produced from JC physically.
Accused A2 produced from JC through VC.

Ms. Lakshita Yadav, ld. counsel for A1 and A3.
Mr. Deepak Khatri, ld. counsel for accused A2 .
Sh. P.K. Dash, ld. counsel for the complainant.

The matter is listed for arguments on charge.

Ld. counsels for the accused Sameer (A1) and Naved @ Purshottam @ Kasim (A3) have conceded on the point of charge and have submitted that charge under appropriate Sections of law may be framed against the accused persons.

Perused the record including the statement of witnesses recorded during investigation.

In case titled as Bhawna Bai Vs. Ghanshyam and others, (Criminal Appeal No. 1820 of 2019) Arising out of SLP(Crl.) No. 6964 of 2019, Hon'ble Supreme Court of India has observed in para 16 of the said judgment as under:-

“ Para 16.....For framing the charges under Section 228 Crl.P.C, the judge is not required to record detailed reasons. As pointed out earlier, at the stage of framing the charge, the court is not required to hold an elaborate enquiry; only prima facie case is to be seen. As held in Knati Bhadra Shah and another V. State of West Bengal (2000) 1 SCC 722, while exercising power under Section 228 Crl. P.C, the judge is not required record his reasons for framing the charges against the accused.....”

In view of the afore-said case law, detailed reasons for framing of charge are not required to be given.

On perusal of material on record, it is clear that a prima facie case for the offences **u/s 302/34 IPC** and **u/s 506(ii)/34 IPC** is made out against the accused persons as there is strong suspicion that they had committed the said offences, to which they pleaded not guilty and claimed trial.

Put up for framing of charge qua **accused Rohit @ Cheera @ Krishan (A2) on 09.12.2022.**

A handwritten application has been moved by accused **Naved @ Purshottam @ Kasim (A3)** seeking permission to wear shoes with laces.

Issue notice of the application to concerned Jail Superintendent to file reply on the said date.

Concerned Jail Superintendent is directed to produce the **accused Rohit @ Cheera @ Krishan (A2) physically and accused Sameer (A1) and Naved @ Purshottam @ Kasim (A3) through VC on the said date.**

Copy of the order be sent to the concerned Jail Superintendent for information and compliance.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:06.12.2022_(R)