

SC 6925/2025
STATE Vs. SURESH KUMAR alias APPU
FIR No. 644/2025
PS Jahangir Puri

04.06.2026

Present: Sh. J. S. Malik, Ld. Addl. PP for the State.
IOs namely Inspector Net Ram as well as Inspector Satvinder Singh in person.
Complainant alongwith Ld. Counsels Sh. Ghanshayam Sh. Narender Sharma.
All four accused persons namely Suresh Kumar @ Appu, Kishan, Vishal and Kuldeep @ Tannu produced from JC.

Sh. Vineet Jain, Ld. Counsel for accused persons namely Suresh Kumar @ Appu and Kishan.

Sh. J. K. Kalson, Ld. Deputy Chief Legal Aid Defence Counsel for accused Vishal.

Sh. Suresh Bhardwaj, Ld. Counsel for accused Vishal.

Sh. Joginder Singh, Ld. Counsel for accused Kuldeep @ Tannu.

The matter is listed for arguments on charge.

Ld. Deputy Chief Legal Aid Defence Counsel for accused Vishal has submitted that as accused Vishal has engaged a private counsel, therefore, he may kindly be discharged from the present case. Submissions heard and allowed. He is discharged from the present FIR case.

Ld. Addl. PP for the State has submitted that the allegations against all the accused persons are grave in nature and the statement of eye witnesses recorded by IO is relevant for

consideration. It is further submitted that all the accused persons, in furtherance of their common intention, committed murder of Bobby Singh @ Piyush with knives. It is further argued that if the statement given by eye witnesses are read in totality, the act done by accused are not just an accident but deliberate and intentional act. It is argued that there is sufficient material to frame charges against accused persons for the offences punishable U/s.103(1)/115(2)/118(1)/238(a)/3(5) BNS, therefore, charges against all the accused persons for the aforementioned offences may kindly be framed.

On the other hand, Ld. Counsels for accused persons have argued that the allegations against accused persons are false and they are innocent. It has been argued that accused persons have been falsely implicated in the present case in connivance with the police officials as well as so called eye witnesses. It is further argued that police has not investigated the present case properly and fake eye witnesses have been cited as in the list of prosecution witnesses. It is argued that even in the FIR it has been mentioned that the quarrel was initiated by deceased Bobby Singh @ Piyush, who had given a slap to accused Kishan, due to which incident in question took place. It has been further argued on behalf of accused persons that charges for the offences punishable U/s.103(1)/115(2)/118(1)/238(a)/3(5) BNS are not made out against accused persons. It is prayed that accused persons may kindly be discharged.

This court has given thoughtful consideration to the submissions made by Ld. Additional PP for State and Ld. counsel for accused persons as well as also perused the record placed before the same.

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 CrI.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 CrI. P.C, the judge is not required record his reasons for framing the charges against the accused.....”

Perusal of the statement of eye witness shows that all four accused persons **namely Suresh, Kishan, Vishal and Kuldeep** have been mentioned which prima facie shows their active involvement in commission of the alleged offence. In the present case, the allegations against accused persons namely Suresh, Kishan, Vishal and Kuldeep are that on 17.06.2025 at about 08:15 P.M. in front of H. No. G-550, G-Block, Jahangir Puri, Delhi, all the accused persons alongwith CCL ‘Y @ S’, in furtherance of their common intention, committed murder of **Bobby Singh @ Piyush** by stabbing him. Further, voluntarily caused hurt to complainant Jitender @ Ajay and Surya. Further,

accused Vishal voluntarily caused hurt to **Surya S/o. Sh. Sukhan** Sarkar using a knife. Further, at the same time, all of them voluntarily caused hurt to complainant Jitender @ Ajay and Surya using a knife and disposed off the said knife with intention to screen themselves from the present case FIR.

After perusal of the whole record including the statements of eyewitnesses, after considering the submissions made on behalf of State and accused persons, this court is of considered view that a prima facie case for offence punishable U/s. 103(1)/115(2)/3(5) BNS is made out against all accused persons **namely Suresh, Kishan, Vishal and Kuldeep**. **Prima facie for offence punishable U/s. 118(1) & 238(a)BNS** is made out against accused Vishal. Charges have been read over and explained to accused persons **namely Suresh, Kishan, Vishal and Kuldeep** to which accused persons have pleaded not guilty to the charges framed against them and they have claimed trial.

Put up for P.E on **05.10.2026 & 06.10.2026**.

Issue summons to PWs namely mentioned in the list of witnesses at serial no. 1, 4, 5,6 and IO for **05.10.2026**.

Issue summons to PWs namely mentioned in the list of witnesses at serial no. 10,16 & IO for **06.10.2026**.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
04.06.2026