

13.07.2026

Present: Sh. J. S. Malik, Ld. Addl. PP for the State.
Main IO/SI Vivek in person.
Accused persons namely Aman, Arshad, Prince @
Awara, Manish @ Don, Nitesh Kumar and Md. Irfan
produced from JC.

Ms. Hema, Ld. Proxy Counsel for accused Aman.
Sh. Bimlesh Kumar, Ld. Counsel for accused
Arshad.
Sh. Hemant Pandey, Ld. Counsel for accused Prince
@ Awara.
Sh. Ahsas Hussain, Ld. Counsel for accused Manish
@ Don **(Through VC)**.
Sh. Sahil, Ld. Counsel for accused Nitesh Kumar
(through VC).
Sh. J. K. Kalson, Ld. Deputy Chief Legal Aid
Defence Counsel for accused Mohd. Irfan.

Ld. Counsel for accused Nitesh has submitted that
accused Nitesh wants to concede on the point of charge and has
submitted that charge under appropriate sections in law may be
framed against accused Nitesh.

Arguments on the point of charge have been heard on
behalf of accused persons namely Aman, Arshad, Manish @ Don,
Prince and Mohd. Irfan.

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

hatched criminal conspiracy and in pursuance of said criminal conspiracy, all of them committed the dacoity and they have actively participated in the commission of the offence. It is further submitted that all the accused persons committed dacoity of cash amounting to Rs. 36 lakhs and while committing the aforementioned robbery accused persons caused multiple stab injuries to the victim. It is further argued that out of the robbed amount of Rs. 36 Lakhs, Rs. 1,40,000/- were recovered from the possession of accused Aman, Rs. 6 Lakhs were recovered from accused Prince and Manish, Rs. 2 lakhs were recovered from accused Irfan, Rs. 1 lakh were recovered from the possession of accused Nitesh and scooty bearing no. DL 4SDN 2900 belonging to complainant was recovered from the possession of accused persons namely Prince and Manish. It is further argued that if the statement given by complainant are read in totality, the act done by accused persons is not just an accident but deliberate and intentional act. It is argued that there is sufficient material to frame charges against accused persons, therefore, charges against them for the offences punishable U/s. 61(2) / 309(6) / 310(2) / 311 / 311/317(2)/3(5) BNSS may kindly be framed.

On the other hand, Ld. Counsels for accused persons namely Aman, Arshad, Manish @ Don, Prince and Mohd. Irfan have argued that the allegations against above said 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 complainant. It is further submitted that above mentioned accused persons have not committed any

offence as alleged and nothing has been recovered from the possession of above mentioned accused persons,if recovered the same has been planted by the police officials. It is further argued that police has not investigated the present case properly and fake witnesses have been cited as in the list of prosecution witnesses. It is argued that the complainant has concocted a false story of dacoity as in the FIR it was mentioned by him that the bag was containing cash amounting to Rs. 1,36,000/- only, however, he changed his version later on and gave statement that the robbed bag was containing cash amounting to Rs. 36 Lakhs which clearly shows that he has made a false story to falsely implicate the accused persons in connivance with the police officials. It is argued that the alleged recoveries are not actual recoveries and that the said recoveries are planted upon the accused persons. It has been further argued on behalf of above mentioned accused persons that charges for the offences punishable U/s. 61(2) / 309(6) / 310(2) / 311 / 311/317(2)/3(5) BNSS are not made out against above mentioned 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 record shows that there are allegations against accused persons that on 28.11.2025 or some time prior thereto, all accused persons namely **Aman, Arshad, Prince @ Awara, Manish @ Don, Nitesh Kumar and Md. Irfan** conspired with each other and agreed to do an illegal act i.e. to rob complainant Sh. Roshan Lal and in pursuance of the said criminal conspiracy, on 28.11.2025 at around 07:45 P.M. near Mukund Pur Bus Stand on Burari to Rohini Carriage way, Mukund Pur Flyover, Delhi accused persons namely **Aman, Arshad, Prince @ Awara, Manish @ Don and Md. Irfan** in pursuance of criminal conspiracy hatched amongst them conjointly committed robbery by robbing complainant Sh. Roshan Lal of his scooty and bag containing cash amount of Rs. 36 Lakhs. It is the case of the prosecution that accused Aman had used a deadly weapon i.e. a knife while committing robbery. It is the case of the prosecution that on the aforesaid date, time and place, while committing robbery accused persons namely **Aman, Arshad, Prince @ Awara, Manish @ Don and Md. Irfan** voluntarily caused hurt to complainant Sh. Roshan Lal. It is the case of the prosecution that on 06.12.2025 from second floor corner room H. No. 130, Nirankari Gali, Naya Baas Gaon, Noida, U.P. accused Aman got recovered Rs. 140,000/- which were dishonestly received or retained by

accused Aman knowing or having reasons to believe the same to be stolen property.

It is the case of the prosecution that on 05.12.2025 near Police Booth, Shah Alam Bandh Road, Jahangir Puri, Delhi accused persons namely Prince and Manish were found in possession of one scooty bearing no. DL 4SDN 2900 belonging to complainant Sh. Roshan Lal, which was dishonestly received or retained by both the accused persons namely Prince and Manish in furtherance of their common intention knowing or having reasons to believe the same to be stolen property. It is the case of the prosecution that on 06.12.2025 from third floor Tayat Avana Ka Makan, Village Atta, Noida, U.P. accused Prince and Manish got recovered Rs. 6 lakhs which were dishonestly received or retained by accused Prince and Manish in furtherance of their common intention knowing or having reasons to believe the same to be stolen property. It is the case of the prosecution that on 07.12.2025 at Mukund Pur Chowk, Delhi accused Mohd. Irfan got recovered a cash amount of Rs. 2 lakhs from the dashboard of swift Dzire Car bearing no. HR 38Z 5501 which were dishonestly received or retained by accused Mohd. Irfan knowing or having reasons to believe the same to be stolen property. It is the case of the prosecution that on 07.12.2025 at Mukund Pur Chowk, Delhi accused Nitesh was found ;in possession of cash amount of Rs. 1 Lakh which was dishonestly received or retained by accused Nitesh knowing or having reasons to believe the same to be stolen property.

After perusal of the whole record including the statements of complainant and other material witnesses, 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. 61(2)/309(6)/310(2)/3(5) read with Section 61(2) BNS are made out against all the accused persons namely Aman, Arshad, Prince @ Awara, Manish @ Don, Nitesh Kumar and Md. Irfan. Further, prima facie case for offence punishable U/s. 311 BNS is made out against accused Aman. Further, prima facie case for offence punishable U/s. 317(2)/3(5) BNS is made out against accused Aman, Manish, Prince, Mohd. Irfan and Nitesh. Charges have been read over and explained to both the accused persons, to which accused persons have pleaded not guilty to the charges framed against them and they have claimed trial.

Issue summons to PWs mentioned in the list of prosecution witnesses at serial no. 1, 2 & IO on 31.10.2026.

Issue summons to PWs mentioned in the list of prosecution witnesses at serial no. 3, 4 & IO on 02.11.2026.

Put up for PE on 31.10.2026 & 02.11.2026.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
13.07.2026