

CNR No.:DLNT01-011860-2024
SC No. 508/2024
STATE Vs. Naseem @ Gulzar Ali
FIR No. 679/2019
PS Bhalaswa Dairy
U/s: 308/323/34 IPC

26.07.2025

Present: Sh. Sanjay Jindal, Ld. Addl PP for State.
Accused persons namely Shiv Shankar Singh, Heera Lal and Jahid @ Hakla in person on bail.
Accused Naseem @ Gulzar Ali produced from J/C.

Sh. Abhishek Duggal, Ld. Counsel for
accused persons namely Jahid, Shiv Shankar Singh
and Heera Lal
Sh. J.K. Kalson, Ld. Deputy CLADC for accused
Naseem @ Gulzar Ali and Jahid @ Hakla.

Ld. Deputy Chief Legal Aid Defence Counsel for
accused Jahid @ Hakla submits that he may be discharged as accused
Jahid @ Hakla has engaged private counsel.

Submissions heard. Sh. J. K. Kalson, Ld. Deputy Chief
Legal Aid Defence Counsel for accused Jahid @ Hakla is discharged
as a counsel.

Ld. Counsel for accused Jahid @ Hakla has filed his
vakalatnama. Same is taken on record.

Ld. Counsels for all accused persons have submitted that
accused persons wants to concede on the point of charge and has
submitted that charge under appropriate Sections in law may be
framed against them.

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

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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.....”

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

On perusal of the afore-mentioned material on record and after hearing Ld. Addl PP for state and Ld. Counsel for both accused persons, a prima facie case for the offence punishable U/s 308/323/34 IPC is made out against accused persons namely **Naseem Gulzar Ali, Heera Lal @ Beeru, Jahid @ Hakla and Shiv Shankar Singh @ Galia** that there are strong suspicion that they had committed the said offences. Accordingly, charges for the offence punishable U/s 308/323/34 IPC have been framed against accused persons namely **Naseem Gulzar Ali, Heera Lal @ Beeru, Jahid @ Hakla and Shiv Shankar Singh @ Galia** to which they pleaded not guilty and claimed trial.

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Be put up for PE on 26.11.2025

Let PWs whose name has been mentioned in the list of prosecution witness at serial no.1 & 2 be summoned along with IO for NDOH.

(Sushil Kumar)
Addl. Sessions Judge-04
North District Rohini Courts Delhi
26.07.2025 ^(R)