

CNR No.:DLNT01-018410-2024
SC No. 822/2024
STATE Vs. Sheikh Shahjad
FIR No. 446/2024
PS Mahendra Park
U/s: 309 (6)/311/309(4)/3(5) BNS

04.06.2026

Present: Sh. J. S. Malik, Ld. Addl PP for State.
IO / SI Nagender Singh in person.
Accused Sheikh Shahjad in person on bail.
Sh. J.K. Kalson, Ld. Deputy CLADC for accused.

Arguments on the point of charge heard on behalf of both parties.

Ld. Addl. PP for the State has submitted that there is sufficient material to frame charge against accused Sheikh Shahjad, therefore, charges for the appropriate sections may kindly be framed.

Ld. Counsel for accused Sheikh Shahjad has submitted that accused has been falsely implicated in the present FIR case. It is further submitted that accused has nothing to do with the commission of alleged offences as in the present case. It is further argued that prima facie offences punishable under section 309(4)/309(6)/311/3(5) BNS are not made out against accused as in the present case, there is no evidence available on record which suggests that accused has committed any robbery in the present case. It is prayed that accused may kindly be discharged in the present case.

This Court has given thoughtful consideration to the submissions made by Ld. Additional PP for State and Ld.

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Counsel for accused and has also perused the record placed before the same.

Perusal of the record shows that in the present case, FIR bearing No.4466/2024 was got registered by complainant Sh. Sunil Kumar wherein allegations of committing robbery of his Scooty bearing registration no.DL4SDN-4741 were made by the complainant. Perusal of the statement of complainant Sh. Sunil Kumar shows that neither the offenders used any deadly weapon nor they cause grievous hurt to the complainant nor they made an attempt to cause death or grievous hurt to the complainant. Further, perusal of MLC of complainant Sh. Sunil Kumar shows that the injuries sustained by him are opined by doctor to be “Simple”, thus, the offence punishable under section 311 BNS is not made out against accused Sheikh Shahjad. Further, another victim namely Sh. Pratap has given statement to the effect that the offender had caused injury to him by way of sharp object while committing robbery of his mobile phone, however, it is pertinent to mention that victim Sh. Pratap has failed to identify accused Sheikh Shahjad during the Test Identification Parade (TIP) conducted before Ld. JMFC concerned.

Thus, in view of the above discussion, this Court is of considered view that the offence punishable under section 311 BNS is not made out against accused, therefore, **accused Sheikh Shahjad is discharged for the offences punishable under section 311 BNS.**

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Rest of the offences i.e., 309(4)/309(6)/3(5) are exclusively triable by the Court of Ld. JMFC concerned, therefore, the present case is **remanded back to the Court of Ld. JMFC having jurisdiction over the area of PS Mahendra Park through Ld. CJM, North-District, Rohini Courts, Delhi.**

Let accused be produced before the Court of Ld. CJM, North-District, Rohini Courts, Delhi on **09.06.2026.**

Ahlmad is directed to send the case file complete in all respect to the Court of Ld. CJM, North-District, Rohini Courts, Delhi.

(Sushil Kumar)

Addl. Sessions Judge-04

North District Rohini Courts Delhi

04.06.2026 ^(R)