

SC 162-2024  
STATE Vs. SUNIL SINGH @ BABBUSINGH  
FIR No. 656 /2023  
(PREM NAGAR)

**15.04.2024**

Present: Sh. K.D. Pachauri, Ld. Addl. PP for the State.  
Complainant not appeared despite court notice.  
IO also not present.

This is cancellation report filed in FIR No. 656/2023, u/S 3 (1) (r) & (s) SC/ST Act against accused Sunil Singh, Aditya Singh, Raghbender Singh, Anil Singh, Ajay Singh and Sunil Sahi.

The allegations of complainant were that he is the owner of plot no. E-3/285, Vinay Enclave, Prem Nagar, Part-III, Kirari Suleman, Delhi and was raising construction in the plot when accused persons came to his plot and started abusing him with words related to his caste and also did not allow to raise construction and threatened not to reside in the plot. There are also allegations that accused persons had also trespassed into the plot of complainant and tried to grab the plot.

The cancellation report shows that investigation has been done with respect to offence under Section 3 (1) (r) & (s) SC/ST Act only and no investigation was done with respect to offence under Section 3 (1) (g) SC/ST Act. Statement of witnesses recorded by IO reveals that all the witnesses have stated that complainant is the owner of the property and accused persons were trying to grab the property of complainant and on the date of incident complainant was badly beaten by the accused

persons. Even witnesses were also beaten.

In these circumstances, even if the witnesses failed to recall the specific words used by the accused persons with respect to insulting and intimidating by caste related words, there were specific allegations that the accused persons had committed trespass, given beatings and were grabbing the land of complainant, thereby interfering in the peaceful possession of complainant.

Therefore, cancellation report is declined. There is sufficient material available on record to take cognizance of the offences under SC/ST Act. ***I take cognizance of the offence under Section 3 (1) (g) SC/ST Act and 447/323 IPC r/w 3 (2) (va) SC/ST Act against all accused persons. Issue summons upon all the accused persons put in column no. 12 to be served through IO personally for the next date of hearing.***

***Fresh notice be also issued to IO to appear in person alongwith seven copies of final report to be supplied to accused persons as well as complainant, for the next date of hearing.***

***Fresh notice be issued to complainant for the next date of hearing.***

List on 03.06.2024.

**VIKRAM  
ASJ-II/SPECIAL JUDGE NDPS/  
NORTH-WEST/ROHINI COURTS/  
DELHI/15.04.2024**