

Ct. Cases 99/2023

GEETA @ GULSHAN Vs. VIJENDERSHARMA ORS.

14.09.2023

Present: Sh. K.D. Pachauri, Ld. Addl. PP for the State.
Complainant with ld. Counsel Sh. Manoj.
All three accused with ld. Counsel Sh. Sandeep
Phogat.

This complaint case was filed in the Court of ld. MM in which charges were framed for the offences punishable under Section 323/451/34 IPC and post summoning, evidence was also recorded. However, during recording of evidence ld. MM while considering the fact that complainant belonged to SC community and accused persons not being members of SC/ST and there being allegations of SC/ST Act, committed the file under Section 323 Cr.P.C. to this Court.

As per Section 15 of the Act, before this Court, the prosecution being carried by State, ld. Addl. PP shall conduct the prosecution.

Arguments on the point of charge heard.

From the statement recorded before ld. MM that accused persons trespassed into house of complainant in order to force them to leave the area where they were living and in that process they gave beatings to them. Accused Vijender Sharma, in that process, molested the complainant outraging her modesty. Therefore, offences punishable under Section 323/451/34 IPC & 3 (1) (xi) & (xv) are made out against accused Vijender Sharma. As against accused Rani and Pooja, offences punishable under Section 323/341/34 IPC & 3 (1) (xv) are made out. Accordingly

charge framed to which accused persons pleaded not guilty and claimed trial.

List for PE on 17.01.2024. *State is also directed to prepare a list of witnesses required to be summoned except the list for witnesses provided by complainant.*

**VIKRAM
ASJ-II/SPECIAL JUDGE NDPS/
NORTH-WEST/ROHINI COURTS/
DELHI/14.09.2023**