

SC 511/2023
STATE
Vs.
MOHD SHAKIB
FIR No.300 /2022
(Subhash Palace)

06.03.2024

Present: Sh. Sanjay Jindal, Ld. Addl. PP for State.
All accused on bail.
Sh. Sanjay Soni, Ld. Proxy counsel for accused
Mohd. Sakib and Jaanisar @ Sahil.
Sh. Bharat Singh, Ld. Counsel for accused Zainul
Khan and Somvir.

Arguments on charge heard.

Accused Mohd. Sakib and Jaanisar @ Sahil have been charge-sheeted for the offence u/s.307/34 IPC alongwith other offences on the allegations that accused Mohd. Sakib had hit the complainant Aniket and injured Sunny with his WagonR car. The role attributed to accused Jaanisar @ Sahil is that he was sitting in his car alongwith accused Mohd. Sakib. It was accused Mohd. Sakib who was driving the car and hit the injured with his car.

In the considered opinion of this Court, offence u/s.307 IPC cannot be invoked against accused Jaanisar @ Sahil merely because he was sitting besides the driver. The offence u/s.307 IPC is made out only against Mohd. Sakib.

Further, statements of complainant, injured and statement of other witnesses recorded u/s.161 Cr.P.C. and medical documents are sufficient to bring out a prima-facie case for offence u/s.307 IPC against accused Mohd. Sakib and u/s.323/341/34 IPC against all the accused persons. Accordingly, charges for the said offences are framed against

accused persons, to which they pleaded not guilty and claimed to be tried.

Let PWs Aniket and Sunny be summoned for the next date. IO to remain present on the next date.

Put up for **PE** on **19.09.2024**.

(BABRU BHAN)
ASJ-03 (NORTH-WEST)
ROHINI COURTS
DELHI/06.03.2024