

20.12.2025

One of the regular Stenographer is on leave today.

Present : Ld. Addl. PP for the State.
All accused produced from J/C.
Ld. Counsel Sh. Atul for accused Vipin and Dushyant.
Ld. Counsel Sh. Deepanshu Goswami for accused Bheem.
Ld. Counsels Sh. Ankit Rathi, Sh. Sahil Rana and Sh. Deepak Koli for accused Gurdev.
Ld. Counsels Sh. Vishnu Joshi, Sh. Ashu Singh and Sh. Mayank Jain for accused Ankit @ Golu.
Ld. Counsels Sh. Vivek Kumar Singh and Ms. Usha Chauhan for accused Jatin @ Jitender.

Arguments on charge heard.

During submissions, Ld. Counsel for accused Vipin and Dushyant submits that charge may be framed in accordance with law.

During submissions on behalf of remaining accused persons, it is submitted that Section 308 (2) BNS is not made out from the allegations, as no property is delivered to the accused persons pursuant to the threat. It is prayed that accused persons may be discharged for offence of extortion. Ld. Counsels placed reliance on Judgment titled as **ISSAC Isanga Musumba Vs. State of Maharashtra (2014) 15 SCC 357**. Written submissions are also filed on behalf of the accused Jitender Kumar @ Jatin.

It is also submitted that even offence of attempt to commit extortion is not made out from the allegation as no threat was extended

to kill the victim or put into fear of grievous injury.

Per-contra, Ld. Addl. PP for State has submitted that all the offences are made out against the accused persons for the purpose of framing of charge.

Case-file perused.

There is prima-facie material to frame charge against all the accused persons on the basis of complaint, statement of eye witness, scientific evidence collected in the form of CDR and other material available on record for offences u/s. 105 BNS r/w. Section 3(5), 127 BNS r/w. Section 3(5) BNS framed against all accused persons. However, I concur with the submissions made on behalf of accused persons that Section 308(2) BNS is not made out against the accused persons, as no property was delivered to the accused persons pursuant to the alleged threat and allegations of attempt to commit extortion are also missing in the present matter.

Accordingly, charge for the offences u/s. 105 BNS r/w. Section 3(5), 127 BNS r/w. Section 3(5) BNS framed against all **six accused persons**. Contents of the charges have been explained to the accused persons. After understanding the contents of charge, all accused persons have pleaded not guilty and claimed to be tried.

Let **PW cited at Sl. Nos.1** as per list of witnesses be summoned for the next date.

IO be summoned for the **next date**.

At this stage, Sh. Anurag Singh, Branch Manager of ESAF Small Finance Bank Ltd., Rohini Branch is present and obtained

signatures of accused Gurudev in the Open Court.

Accordingly, application moved on behalf of applicant/accused for permission to sign bank documents in the presence of Court stands disposed off.

Put up for PE on **23.02.2026**.

(MUNEESH GARG)
ASJ-03 (NORTH-WEST)
ROHINI COURTS
DELHI/20.12.2025