

CNR No. DLNW01-012267-2024
SC 973-24
FIR No. 405/24
PS Shalimar Bagh
u/s. 109(1)/61.2(A)/3(5) BNS & 25/27 Arms Act
State v. Dinesh Kumar @ Vicky & Ors.

25.03.2025

Present: Sh. G.S. Guraya, Ld. Chief PP for State.

All four accused on court bail.

Sh. S.K. Kaushik, Adv. for accused Dinesh.

Sh. Rattan Kumar Mishra, proxy for Sh. Nitin
Ahalawat, Adv. for accused Manpreet, Barinder and
Ratan.

Heard on the point of charge and perused the record.

Ld. Counsel for accused Dinesh submitted that there is no evidence against him. He was not present at the spot. The witnesses also do not say that he participated in the commission of offence. There are bald allegations that he had relation with the daughter of the victim and that at his instance Manoj Rawat has been assaulted but there is no such evidence. None of the witnesses have stated so. It is prayed that under the circumstances, he be discharged.

Ld. Counsel representing other accused persons also submitted that they have no role to play. They have not committed any offence and prayed that they be discharged.

After hearing the arguments and going through the record, I find that in this case scooty no. DL8SBC-0895 is used. As per record, this scooty is registered in the name of Dinesh

Kumar. Dinesh Kumar also transferred amount in the account of the accused persons and was in touch with them. There is no explanation coming forward as to why and how he was in touch with them and how his scooty came in possession with accused persons, who assaulted Manoj Rawat. The other accused persons have also been identified. Prima facie, there is sufficient evidence showing that accused hatched conspiracy with other accused to cause death of Manoj Rawat and in conspiracy, they attacked Manoj Rawat. Prima facie offence punishable u/s. 61(2)(a) BNS and 109(1) r/w Section 61(2)(a) BNS are clearly made out against all the accused persons. Accused Barinder Singh also used one knife, the possession of which is illegal as per notification of Govt. of NCT of Delhi, therefore, offences punishable u/s. 27 Arms Act and 25 Arms Act are also made out against accused Barinder Singh. They are charged accordingly, to which they pleaded not guilty and claimed trial.

Now to come up for PE on 05.06.2025.

Witnesses mentioned at sl.no.1 & 15 alongwith IO and MHC(M) be summoned for the next date.

Letter be sent to the Director, FSL to expedite the examination of exhibits and submit the report on or before 21.04.2025.

(Virender Kumar Bansal)
Principal District & Sessions Judge (NW)
Rohini Courts, Delhi/sb