

SC 8 OF 2020

STATE Vs. AMIR KHAN@ Mulla

FIR 0448 /2018 (Badarpur)

11.03.2020

Present: Sh. Ashish, Ld. Substitute Addl. PP for the State.

Accused No. 1 from JC with Sh. Kunal Punj, Adv.

Accused No. 2 from JC with Sh. V P Kaushik, Adv.

Accused No. 3 from JC with Ms. Amrita Jaiswal, Amicus Curiae.

The arguments on charge were heard on 7.3.2020.

The allegations against the accused are that on 18.11.2018 at 8pm, in front of shop of Bundan Kabari, 60 Foot Road, Molarband, Badarpur, New Delhi accused Amir stabbed Neeraj on thigh. Vishnu came to rescue of Neeraj. Monu @ Manoj caught the hands of Vishnu. The third accused caught Vishnu. Accused Amir gave knife blow on the neck and stomach of Vishnu. All of them fled from the spot by raising the threat of dire consequences.

I have perused the statements u/s 161 CrPC of the witnesses, MLC of injured and also heard Ld. Addl. PP for the State as well as Ld. Defence Counsel.

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There are clear cut allegations against the accused. The injured Vishnu has sustained laceration left iliac fossa laceration 2.5 x 1.5 cm. The injured Vishnu has sustained grievous injuries with sharp edged weapon whereas injured Neeraj has sustained simple injuries with sharp edged weapon.

The injuries have been caused with sharp edged weapon i.e. knife. The injuries are caused in the stomach of injured Vishnu. The injuries could have been fatal.

Keeping in view the entire material on record, I am of the view that there is strong suspicion that accused have committed the offence. Prima facie case u/s 307/324/506/341/34 IPC is made out against all the accused.

Let the charge to the said offences be framed on 21.3.2020 .

(SURESH KUMAR GUPTA)
ASJ-04 + Spl. Judge (NDPS) South East District,
Saket Court, New Delhi: 11.03.2020