

SC 28/2026
STATE VS. AAKASH & ORS.
FIR NO.604/2025
PS NAND NAGARI

25.02.2026

Present : Mohd. Iqrar, Ld. Chief PP for the State.
Accused Aakash, Prince Thomas @ Lucky and
Pardeep @ Plumber with Ld. Counsel Sh. M. A.
Ashraf.

Arguments on charge heard. Record perused.

The counsel for the accused persons has submitted that the accused persons are innocent and have been falsely implicated by the complainant. He has submitted that neither the alleged incident had taken place nor any injury was caused by the accused persons and thus, the offence under Section 110 read with Section 3(5) BNS is not made out.

On the other hand, Ld. Chief for the State has submitted that from the initial statement of the complainant dated 07.10.2025, supplementary statement dated 08.10.2025 and his MLC, the offence under Section 110 read with Section 3(5) BNS is clearly made out.

It is a settled law that at the stage of charge, the Court is not required to go into the probative value of the material on record and the nature of evaluation to be made is whether the facts emerging therefrom, taken at their face value, disclose the existence of all the ingredients constituting the alleged offence.

The complainant has specifically alleged that during the alleged incident, the accused persons along with co-accused

Sonu (not arrested) had caught hold of him and caused injuries on his head and other body parts with a pointed object and clutch wire of motorcycle. As per the MLC, the complainant had sustained deep lacerated wound over left side of temporal region as well as CLW in occipital region. In view of the statements of the complainant and the body parts where the injuries were caused, prima facie, the charge for the commission of offence punishable under Section 110 read with Section 3(5) BNS is made out against the accused persons. Accordingly, the charge for the said offences is framed against the accused persons to which they pleaded not guilty and claimed trial.

Put up for prosecution evidence on **16.03.2026**. PWs mentioned at serial Nos.1, 2 and 8 of the list of the prosecution witnesses be summoned for the said date.

(SANJAY GARG-II)
Principal District & Sessions Judge
Shahdara, KKD Delhi/25.02.2026