

SC - ID No. 45/2023
STATE Vs. Surender @ Pappi
FIR No. 661/2018
PS : Jafrabad

24.03.2023

Present: Sh. Shikhar Mahajan, Ld. Sub. Addl. PP for State.

All three accused are present on bail.

Sh. Pramod Nagar and Ms. Kaushalya Sharma,

Ld.Counsels for accused persons.

Complainant Sanjay Choudhary and witness Aman are also present.

Arguments on charge heard.

Brief facts of the case are that on 10.11.2018 at about 09:50 PM complainant who is residing at H.No. 1701, Main Road, Maujpur, Delhi had gone to stop the accused persons residing in H.No.342 in his neighborhood, accused persons abused him and attacked on him with danda and with one sharp edge object and when his son Aman came there to stop them, Pappi caught hold him and Nishu attached on him with a brick and when complainant tried to rescue his son Aman, Nishu caught hold him from behind and pressed his neck. Thereafter, accused persons threatened him and further to kill the family members of complainant. On completion of investigation, charge-sheet in the present case was filed against accused persons.

Contd..../-

As per MLC No.B-5767/37/18 dated 10.11.2018 of injured Aman and MLC No.C/6016/46/18 dated 11.11.2018 of injured Sanjay, nature of injuries were simple. However, the incident has happened at night at about 09:30 pm and therefore, Sec. 458 IPC is made out. Complainant has submitted that offence u/Sec. 307 IPC is made out as the accused persons had tried to strangle them. However, the nature of injuries is simple and offence u/Sec. 308 IPC, prima-facie is made out and not Sec. 307 IPC.

Prima facie case for the offences under Section 308/506/458/34 IPC are made out against accused persons namely Surender @ Pappi, Pradeep and Nishu.

Accordingly, charge has been framed against accused persons namely Surender @ Pappi, Pradeep and Nishu, to which they pleaded not guilty and claimed trial.

Now to come up for PE on **11.10.2023**.

Witnesses DO and complainant be summoned for the next date of hearing.

(KIRAN BANSAL)
ASJ-04, Shahdara/KKD Courts,
Delhi/24.03.2023