

**SC No.225/2023**  
**State Vs. Ashraf @ Munna**

**05.09.2023**

**Present :** Sh. A.K. Mishra, Ld. Chief PP for the State.  
Retd. IO/SI Islamuddin in person.  
All accused persons are present on bail with Ld.  
Counsel Sh. R.K. Pandit.

Arguments heard of both the sides on the point of charge and perused the chargesheet as the material available on record.

Ld. Counsel for accused persons submits that the accused persons have been falsely implicated in this case and no case is made out against him.

On the other hand, Ld. Chief PP for the State has argued that there are specific allegations against the accused persons and prima facie case is made out against them as per the FIR and statement of witnesses for the offences u/s 392/397/411/34 IPC.

It is the settled proposition of law that at the stage of framing of charge, the Court is not required to meticulously judge the truth, veracity and effect of evidence which the prosecution proposes to adduce nor any weight is attached to the probable defence of the accused. The Court is not required to assess if there is sufficient ground for conviction or whether the trial is definitely going to end in the conviction of the accused. It is only to be considered if there is a strong suspicion which leads

the Court to think that there are grounds for presumption that the accused had committed an offence.

In view of the above arguments and also the statement of the complainant and other materials available on record, prima facie, charge under Section 392/397/411/34 IPC is made out against the accused persons. Charge is accordingly framed. Accused persons have pleaded not guilty to the charge and claimed trial.

Put up for PE on **12.10.2023**. Let the complainant be summoned for next date.

**(RENU BHATNAGAR)**  
**Principal District & Sessions Judge**  
**Shahdara, KKD Delhi/05.09.2023**