

IN THE COURT OF SH. SAMAR VISHAL
ADDITIONAL SESSIONS JUDGE-02, SOUTH
DISTRICT SAKET COURTS: DELHI

SESSIONS CASE NO. 45/2023

CNR NO: DLST01-000841-2023

FIR NO. 704/2022, POLICE STATION : Neb Sarai

UNDER SECTION : 3(1)(r)(s) of SC/ST Act

State

VERSUS

Sushma Aggarwal
W/o Sh. Krishan Kumar
R/o H. No. 185, Sector 12A
Gurgaon, Haryana

Date of Institution	:	21.01.2023
Date of Reserving Judgment	:	04.04.2026
Date of Pronouncement	:	30.04.2026
Decision	:	Acquitted

JUDGMENT

1. The present case pertains to the trial of accused Sushma Aggarwal for the alleged commission of offences punishable under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The prosecution case is that the accused intentionally insulted and humiliated the complainant, Sonia, by uttering derogatory and caste-based remarks, despite having knowledge that she belongs to a Scheduled Caste community. The core issue that arises for determination is whether the complainant was subjected to such intentional insult and humiliation in the manner alleged, and whether the culpability of the accused is established beyond

reasonable doubt so as to warrant conviction under the aforesaid provisions.

2. The case of the prosecution, in brief, is that on 15.01.2022, the complainant Sonia submitted a handwritten complaint at Police Station Neb Sarai, which was recorded vide DD No. 29A. It is alleged therein that she had been working as a cleaner for the past about 11 years at the IGNOU branch of Punjab National Bank. According to the complainant, the then Branch Manager, Subhash Aggarwal, had been informing her since 03.01.2022 that her services would be terminated and that she would be replaced by another person. She further alleged that from 10.01.2022, a boy was appointed to perform her duties without any prior intimation to her.

3. It is further the case of the prosecution that on 12.01.2022, the said Branch Manager behaved rudely with the complainant, directed her not to report for duty from the next day, asked her not to show her face again, and warned her against entering the branch premises. The complainant has further alleged that during this interaction, the Branch Manager used abusive and derogatory caste-based language, stating in substance that persons belonging to lower castes do not understand despite repeated explanations, and also addressed her by using caste-related slurs saying- “*neech jati ke logo ko kitna bhi samja lo samaj nahi aata chude char bhangi hai na isliye*”. It is alleged that by such conduct, the complainant was intentionally insulted and humiliated on account of her caste.

4. The complainant further stated that she raised the grievance before the Circle Head at Bhikaji Cama Place, namely Sudhir Dalal, in the presence of the Branch Manager, both through email as well as by submitting a written representation; however, no action was taken. Aggrieved thereby, she sought appropriate legal action and justice in the matter.

5. On the basis of the aforesaid allegations of caste-based abuse and intentional humiliation, the police registered the present FIR under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on 22.11.2022.

6. During the course of investigation, the Investigating Officer recorded the statements of witnesses and issued notice under Section 91 Cr.P.C. for the collection of relevant documentary evidence. Upon completion of investigation, a charge sheet was filed on 21.01.2023 against the accused for offences punishable under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. It is stated in the charge sheet that the complainant belongs to the Balmiki community, which is a notified Scheduled Caste, whereas the accused belongs to the general category.

7. Vide order dated 02.11.2023, charge was framed against the accused Sushma Aggarwal for the aforesaid offences. The

contents of the charge were read over and explained to the accused, to which she pleaded not guilty and claimed trial.

8. In order to prove its case, the prosecution examined nine witnesses. PW-4, the complainant Sonia, being the victim, is the most material witness. She deposed that she is educated up to 7th standard, can read and write Hindi, and had been working as a sweeper for about 11 years at Punjab National Bank, IGNOU Branch, New Delhi, where she continues to work. She stated that she belongs to the Balmiki caste, which is a Scheduled Caste.

9. PW-4 deposed that on 03.01.2022, the accused Sushma Aggarwal, who was then posted as Chief Manager at the said branch, asked her whether she could drive a scooty. Upon her replying in the negative, the accused allegedly told her that she did not know how to perform tasks such as barcode work, passbook entry, or driving, and therefore she would not be retained, and that some boy would be employed in her place. The witness stated that she started crying and requested the accused, mentioning her family difficulties, but the accused refused and told her not to come from the next day and to find work elsewhere. Despite this, she continued to report for duty.

10. She further deposed that on 10.01.2022, the accused informed her that a boy had been appointed in her place and directed her not to come to the office and stated that she did not want to see her face, whereupon she returned home in a distressed condition.

11. PW-4 further stated that on 12.01.2022, upon insistence of her husband, she again went to the branch and resumed work. When the accused came to know that she had performed the work, she called her to the cabin, reprimanded her for returning despite being told not to come, and allegedly used derogatory and caste-based remarks, stating in substance that persons of lower caste do not understand despite repeated instructions and also used caste-related slurs saying, “*chure, chamar, bhagan ko samajh nahi aati, mana karne par bhi aa jati hain*”. The witness stated that she was humiliated and left the chamber in a weeping condition.

12. She further deposed that on the next day, she approached the Circle Head, Sh. Sudhir Dalal, at the Head Office of Punjab National Bank, narrated the incident, and submitted a written complaint as well as an email. She alleged that the said officer did not take any action and instead laughed at her. Thereafter, she lodged a complaint at Police Station Neb Sarai, which is exhibited as Ex. PW4/A, and also provided her caste certificate, exhibited as Ex. PW4/B (OSR).

13. In her cross-examination, the witness admitted that certain facts stated by her in court, including the conversation regarding driving a scooty and specific statements allegedly made by the accused on 03.01.2022, were not recorded in her initial complaint, Ex. PW4/A. She stated that the incident of 03.01.2022 occurred at about 11:30 AM and that some staff members, namely Jyoti, Vivechan, and Archana, were present and had heard the accused shouting. She further stated that on

10.01.2022, when the accused told her not to come to work, she was alone with the accused in the chamber.

14. The witness denied the defence suggestion that she had gone to the branch on 12.01.2022 to falsely implicate the accused at the instance of her husband, or that she had misbehaved, threatened, or abused the accused. She also denied the suggestion that no casteist remarks were made or that she had falsely implicated the accused for ulterior motives.

15. She further stated that she had visited the Head Office on 13.01.2022 and made an entry in the register there. She denied the suggestion that she had not met the Circle Head or made any complaint. She admitted that she had also approached the Safai Karamchari Commission through her union and that she had rejoined her duties during the tenure of the accused, stating voluntarily that she was reinstated through the intervention of the Chairman of the Commission. She denied that she had compromised the matter on the condition of reinstatement or that she was deposing falsely.

16. PW-1 Ms. Archana, a clerk posted at Punjab National Bank, IGNOU Branch on the date of the incident, partly supported the case of the prosecution. She deposed that on 12.01.2022, at about 10:30–11:00 AM, the accused Sushma Aggarwal called the complainant Sonia, who was working as a sweeper, to her chamber. The accused allegedly told Sonia that she was incapable of performing various tasks such as driving a scooty, operating a computer, or doing outside work, and stated

that she was being removed from service and should not report from the next day, as someone else would be appointed in her place.

17. PW-1 further deposed that when Sonia requested the accused not to terminate her services, citing her long tenure and family difficulties, the accused became angry and stated in substance that persons of lower status do not understand things easily and directed her not to show her face in the branch from the next day. She stated that Sonia started crying and later approached her and other staff members seeking intervention. After some time, Sonia left the office. The witness also stated that the accused used to misbehave with staff members generally and was rude in her conduct. She further deposed that her statement was recorded by the police after about one to one-and-a-half months of the incident.

18. The remaining witnesses examined by the prosecution are either formal witnesses, including police officials and the Investigating Officer, or bank employees who did not support the prosecution case on the material aspects relating to the alleged caste-based abuse. Their testimonies are largely formal in nature and pertain to procedural aspects of the investigation.

19. PW-2 Vivechan Gunpal, a clerk posted at Punjab National Bank, IGNOU Branch at the relevant time, did not support the prosecution on the material aspect of caste-based abuse and was declared hostile. He deposed that on 12.01.2022, an argument took place between the accused and the complainant in the

chamber of the accused, during which the accused told the complainant not to come to the branch from the next day and not to enter the premises. However, he did not depose anything regarding any caste-based remarks. When confronted with his previous statement under Section 161 Cr.P.C., wherein it was recorded that the accused had used casteist expressions, he denied having made any such statement. He also denied the suggestion that he had been won over by the accused or was deposing falsely to protect her.

20. PW-3 Akash Khokhar, an officer posted at the same branch, also did not support the prosecution case on the material particulars and was declared hostile. He deposed that on 12.01.2022, he was present in the cabin of the accused when the complainant entered, but he left shortly thereafter and did not witness any altercation. He stated that on the following day, he came to know that the complainant had made a written complaint alleging use of caste-related remarks by the accused. However, he categorically stated that he had no personal knowledge of the incident. When confronted with his previous statement under Section 161 Cr.P.C., wherein it was recorded that he had heard the accused using casteist remarks, he denied having made such statement. He also denied the suggestion that he was suppressing the truth or deposing falsely to save the accused.

21. PW-5 Sh. Ajay Sachdeva, Tehsildar, Hauz Khas, proved the caste certificate of the complainant. He deposed that as per official records, the caste certificate issued in the name of the

complainant was verified and found to be genuine. His report in this regard is exhibited as Ex. PW5/A.

22. PW-6 SI Om Prakash, the Duty Officer, proved the registration of the FIR. He deposed that on 22.11.2022, upon receipt of *rukka*, he recorded the present FIR No. 704/2022 and made the necessary endorsement. He proved the computerised copy of the FIR as Ex. PW6/A, endorsement on *rukka* as Ex. PW6/B, and the certificate under Section 65B of the Indian Evidence Act as Ex. PW6/C.

23. PW-7 SI Aman Kumar deposed that on 22.11.2022, while posted at Police Station Neb Sarai, a written complaint was marked to him by the SHO for necessary action. After perusing the complaint, he made an endorsement thereon (Ex. PW7/A) and forwarded the same for registration of FIR.

24. PW-8 Sh. Ravinder Sheoran, Manager, Punjab National Bank, proved certain official records. He deposed that he supplied the photocopy of the attendance register of the accused for January 2022 (Ex. PW8/A), the relevant guidelines/agreements pertaining to part-time sweepers (Ex. PW8/B), and a pen drive containing CCTV footage of the date of incident (Ex. P1), along with a certificate under Section 65B of the Indian Evidence Act (Ex. PW8/C). The CCTV footage was played in Court; however, it was observed that the footage had no audio and only showed the presence of the accused in her chamber. The documents were seized vide memo Ex. PW8/D.

25. PW-9 Retired ACP Ram Sunder, the Investigating Officer, deposed that upon registration of FIR, investigation was marked to him. He visited the bank, examined the complainant, and issued notice under Section 91 Cr.P.C. to collect CCTV footage, duty roster, and other records. He seized the documents and electronic evidence produced by the bank, including the CCTV footage, attendance register, and related documents. He verified the caste certificate of the complainant through the Tehsildar and found it to be genuine. He further stated that he recorded statements of witnesses under Section 161 Cr.P.C., served notice under Section 41A Cr.P.C. upon the accused, and after completion of investigation, filed the charge sheet.

26. In his cross-examination, the witness admitted that he did not prepare a site plan, did not collect documentary proof of employment of the complainant, and did not send the CCTV footage for forensic examination. He also stated that the CCTV footage had no audio and was relied upon only to show the presence of the parties in the bank. He denied the suggestion that the investigation was unfair or that the accused was falsely implicated.

27. After the prosecution evidence was concluded, the accused was examined under Section 313 Cr.P.C., wherein she denied all the incriminating circumstances put to her. She stated that on 12.01.2022, she had reached the branch at about 11:30 AM and that the complainant was a temporary (part-time) sweeper whose engagement, as per bank guidelines, could not be continued beyond a period of 90 days. According to her, the complainant

had requested continuation of her services, but the same was not permissible under the applicable guidelines.

28. The accused further stated that she had no personal animosity against the complainant and, being the Branch Head, was only discharging her official duties to ensure proper functioning of the bank. She denied that any argument or altercation took place on 12.01.2022 and stated that the complainant had merely requested not to be discontinued. She also claimed that she was not aware of the caste of the complainant and denied having made any caste-based remarks.

29. She reiterated that she had acted strictly in accordance with official guidelines and in her official capacity. The accused also relied upon her written reply, already exhibited on record, and prayed that the same be considered as part of her defence.

30. I have heard final arguments advanced by the State, complainant and the accused. During final arguments, the learned Additional Public Prosecutor for the State submitted that the prosecution has successfully established its case beyond reasonable doubt. It was argued that the accused intentionally insulted and humiliated the complainant by using derogatory caste-based remarks in a public place and in the presence of other persons, thereby attracting the provisions of Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. It was contended that the testimonies of PW-1 and PW-4 clearly establish that the accused uttered casteist abuses against the complainant. The caste status

of the complainant stands duly proved through the verified caste certificate placed on record. It was further submitted that minor discrepancies in the testimonies of witnesses do not go to the root of the matter and are liable to be ignored. Accordingly, it was prayed that the accused be convicted for the offences charged.

31. Per contra, the learned defence counsel submitted that the present case is false and motivated, arising out of the grievance of the complainant upon discontinuation of her services. It was argued that the essential ingredients of the offences under Sections 3(1)(r) and 3(1)(s) of the Act are not made out. In particular, it was contended that the alleged incident took place inside the chamber of the accused and thus does not satisfy the requirement of “public view.”

32. It was further argued that there is an inordinate and unexplained delay in the registration of the FIR, as the complaint is dated 15.01.2022 whereas the FIR came to be registered only on 22.11.2022, which casts serious doubt on the veracity of the prosecution case. The defence also pointed out material contradictions and improvements in the testimonies of the prosecution witnesses, especially between the initial complaint and the deposition of PW-4.

33. It was additionally contended that independent witnesses have either not supported the prosecution case or have turned hostile, and there is no consistent or reliable evidence to prove that any caste-based remarks were made by the accused. It was argued that the allegations have been exaggerated and falsely

levelled to exert pressure upon the accused after the complainant was not continued in service. Accordingly, it was prayed that the accused be acquitted by extending the benefit of doubt.

Final Conclusion and Finding

34. Now coming to the appreciation of evidence led in this case. The case is based on the evidence of witnesses. The prosecution has two witnesses to this matter. One PW1 and second the complainant PW4. A witness who has personally seen the occurrence of the incident under inquiry is regarded as an eyewitness. The testimony of an eyewitness, if found to be credible and trustworthy, carries significant evidentiary value and cannot be discarded without cogent reasons. It is well settled that a conviction can be sustained on the basis of the sole testimony of an eyewitness, provided it inspires full confidence of the court. However, if the testimony is found to be partly unreliable or doubtful, the court may prudently seek independent corroboration to ensure the truthfulness of the prosecution case.

35. Now with these legal parameters regarding appreciation of evidence of eyewitness and being conscious of the fact that the burden of proof in a criminal trial is always on the prosecution and it never shifts and to secure a conviction, the prosecution has to prove its case beyond reasonable doubt on the basis of acceptable evidence. It is neither possible nor prudent to have a straight-jacket formula or principle which would apply to all cases without variance and every case has to be appreciated on its own facts and in light of the evidence led by the parties. It is for

the court to examine the cumulative effect of the evidence in order to determine whether the prosecution has been able to establish its case beyond reasonable doubt or that the accused is entitled to the benefit of doubt.

36. On the basis of the above factual and legal position, I have undertaken a careful evaluation of the entire material placed on record, guided by the settled principles of criminal jurisprudence. It is trite that in a criminal trial, the burden lies squarely upon the prosecution to prove its case beyond reasonable doubt. Accordingly, the testimonies of the witnesses, the documentary evidence on record, as well as the statement of the accused under Section 313 Cr.P.C. have been scrutinised, bearing in mind that the allegations pertain to offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, which require strict proof of the statutory ingredients.

37. At the outset, the status of the complainant as a member of a Scheduled Caste community stands duly proved. PW-5, the Tehsildar, has verified and proved the caste certificate of the complainant, which establishes that she belongs to the Balmiki community, a notified Scheduled Caste. Thus, the foundational requirement for the applicability of Sections 3(1)(r) and 3(1)(s) of the Act, namely that the victim belongs to a Scheduled Caste, stands clearly satisfied.

38. Coming now to the crucial question as to whether the offences alleged have been proved beyond reasonable doubt, it is apposite to examine the essential ingredients of Sections 3(1)(r)

and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Section 3(1)(r) penalises intentional insult or intimidation with intent to humiliate a member of a Scheduled Caste or Scheduled Tribe in any place within public view, whereas Section 3(1)(s) punishes the act of abusing such person by caste name in any place within public view by a person not belonging to a Scheduled Caste or Scheduled Tribe.

39. The complainant in her complaint has alleged that the accused said the following words to her— “*neech jati ke logo ko kitna bhi samja lo samaj nahi aata chude char bhanghi hai na is liye*”. While depositing in the court, she stated that— “*chure, chamar, bhagan ko samajh nahi aati, mana karne par bhi aa jati hain*”. There is a difference between these words. Therefore, in the present case, the complainant, in her initial complaint, attributed specific caste-based remarks to the accused. However, while deposing before the Court, she narrated a materially different version of the words allegedly used. Though it is settled that minor discrepancies or variations in the exact words used during an altercation may not be fatal, the present case stands on a different footing. Here, the offence itself is premised upon the specific use of caste-based abusive expressions. Therefore, the consistency of the allegation is important. The variations in the words attributed to the accused in the complaint and in the deposition of PW-4 are not merely minor discrepancies but go to the root of the allegation regarding the exact nature of the caste-based abuse.

40. Further, PW-4, in her testimony, also attributed to the accused certain statements which are general in nature, such as referring to “chote logon” and directing her not to come to the workplace. According to her the accused said - “ *Tum chote logon ko ek baar mein samajh mein nahin aata, kal se yahan par apni shakal mat dikhana aur yahan ghus mat jaana*”. Such expressions, though objectionable, do not by themselves unequivocally establish the use of caste-specific abusive language as required under the provisions of the Act.

41. The prosecution has examined only one supporting witness, namely PW-1, with respect to the alleged verbal exchange. However, her testimony also does not fully and consistently corroborate the version of the complainant regarding the exact caste-based abuses allegedly used. Thus, there remains a lack of clear, cogent, and consistent evidence as to the specific caste-related words allegedly uttered by the

42. Moreover, the reliability of PW-1 Ms. Archana is required to be assessed with caution. She herself admitted that the accused used to misbehave with staff members and was rude and arrogant, and that complaints had been made against the accused to higher authorities. This indicates that there existed prior discord between the witness and the accused. Being a subordinate employee working under the accused, the possibility of bias or predisposition against the accused cannot be ruled out. In such circumstances, it would not be safe to place implicit

reliance upon her testimony as a corroborative piece of evidence to sustain the prosecution case.

43. Another important aspect which merits consideration is the nature of the relationship between the accused and the complainant. It is an admitted position that the accused was the Branch Manager, whereas the complainant was working as a part-time/contractual sweeper. The defence of the accused has been that the complainant was engaged intermittently for limited periods and that, in terms of the applicable bank guidelines, such engagement could not be continued beyond a stipulated duration. It has further come on record that the complainant was seeking continuation of her employment, which was allegedly declined. In this backdrop, the possibility that the dispute arose out of service-related issues and subsequent dissatisfaction on the part of the complainant cannot be ruled out.

44. In *Khuman Singh v. State of Madhya Pradesh, (2019 SCC OnLine SC 1104)*, the Hon'ble Supreme Court, while dealing with the provisions of the SC/ST Act, held that for attracting the offence, it must be established that the act was committed on the ground that the victim belongs to a Scheduled Caste or Scheduled Tribe. The element of intention, therefore, assumes significance, and it must be shown that the insult or offence was primarily on account of the caste of the victim.

45. In the present case, having regard to the overall facts and circumstances, particularly the employer–employee relationship

and the apparent dispute regarding continuation of employment, it does not emerge conclusively that the alleged altercation, even if assumed to have taken place, was solely or primarily on account of the complainant belonging to a Scheduled Caste. Rather, the material on record indicates that the dispute may have been triggered by service-related issues. In such a situation, the necessary ingredient of intention to humiliate the complainant on the basis of her caste is not established beyond reasonable doubt.

46. The next and most crucial facet for consideration is whether the alleged act was committed “in any place within public view,” which is a sine qua non for attracting the provisions of Sections 3(1)(r) and 3(1)(s) of the SC/ST Act. In this regard, reliance has been placed by the defence on the judgment of the Hon’ble High Court of Delhi in *Uday Veer Singh v. State (Govt. of NCT of Delhi)*, *Crl. A. No. 448/2016*, wherein it has been held that for an act to fall within “public view,” it is necessary that the alleged insult or abuse is made in a place where members of the public are present and are capable of witnessing or hearing the same. If the incident occurs at a place not accessible to or in the presence of the public, the requirement of “public view” is not satisfied.

47. In the present case, the complainant (PW-4) herself has deposed that she was called inside the chamber/cabin of the accused, where the alleged incident of verbal abuse took place. She has further stated that after the incident, she came out of the chamber in a distressed condition. This testimony clearly

indicates that the alleged utterances were made inside the private chamber of the accused. There is no cogent evidence on record to show that any member of the public was present inside the chamber at the relevant time or that the alleged caste-based remarks were heard by any independent person.

48. Significantly, none of the prosecution witnesses have deposed that they heard the specific caste-related abuses allegedly uttered by the accused. The supporting witnesses have either not corroborated the complainant on this aspect or have turned hostile. In such circumstances, even if the occurrence of some altercation is assumed, the essential ingredient that the alleged insult or abuse was made in a place within public view is not established beyond reasonable doubt. Accordingly, the accused is to the benefit of doubt on this issue.

49. It is also a matter of significance that there is a considerable delay between the date of the alleged incident i.e. 12.01.2022 and the registration of the FIR on 22.11.2022. Such a delay of more than ten months, in the absence of any cogent and satisfactory explanation from the prosecution, assumes considerable importance. While it is settled that delay in lodging the FIR is not invariably fatal, an unexplained and inordinate delay creates a serious dent in the prosecution case, as it opens up the possibility of deliberation, embellishment, or afterthought.

50. In the present case, the complainant was not shown to be under any immediate threat or incapacity which prevented her

from approaching the police authorities promptly. On the contrary, it has come on record that she had approached other authorities prior to the registration of the FIR. In such circumstances, the unexplained delay in setting the criminal law into motion casts a shadow on the spontaneity and authenticity of the allegations.

51. It is a settled principle of criminal jurisprudence that the prosecution must prove its case beyond reasonable doubt, and the accused is entitled to the benefit of every reasonable doubt. Suspicion, however grave, cannot take the place of proof. Where two views are possible on the evidence adduced, the one favourable to the accused must necessarily be adopted.

52. In the present case, upon a cumulative assessment of the entire evidence on record, I find that the prosecution has failed to establish the essential ingredients of the offences under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The testimony of the complainant suffers from material inconsistencies with respect to the exact nature of the alleged caste-based remarks. The sole supporting witness (PW-1) does not inspire full confidence in view of the admitted prior discord with the accused. The remaining material witnesses have either not supported the prosecution case or have turned hostile.

53. Further, the requirement that the alleged offence must have been committed “in any place within public view” remains

unproved, as the incident is stated to have taken place inside the chamber of the accused, without any independent witness having heard the alleged caste-based abuses. The surrounding circumstances, including the employer–employee relationship and the dispute relating to continuation of employment, also indicate that the altercation, if any, may not have been on account of the caste of the complainant. Additionally, the unexplained delay of more than ten months in registration of the FIR further weakens the prosecution case and raises doubt regarding the genuineness of the allegations.

54. In view of the aforesaid discussion, I am of the considered opinion that the prosecution has not been able to prove its case beyond reasonable doubt. Accordingly, extending the benefit of doubt, the accused Sushma Aggarwal is hereby acquitted of the offences punishable under Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

**PRONOUNCED IN OPEN COURT
ON 30.04.2026**

**(Samar Vishal)
ASJ-02, South District
Saket Courts, New Delhi
30.04.2026**

APPENDIX

1. Chart of Witnesses Examined on behalf of Prosecution

Prosecution Witnesses No.	Name of Witness	Description
1	Ms. Archana	Public witness
2	Sh. Vivechan Gunpal	Public witness
3	Sh. Akash Khokhar	Public witness
4	Ms. S	Complainant
5	Sh. Ajay Sachdeva	Formal witness
6	SI Om Prakash	Duty Officer/police witness
7	SI Aman Kumar	Police witness
8	Sh. Ravinder Sheoran	Formal witness
9	Retired ACP Ram Sunder	Investigating Officer

2. Chart for Exhibited Documents

Exhibit No.	Description of the Exhibit	Proved by / Attested by
Ex.PW4/A	Complaint	PW4
Ex.PW4/B	Caste certificate	PW4
Ex.PW5/A	Report	PW5
Ex.PW6/A	Computerized copy of FIR	PW6
Ex.PW6/B	Rukka	PW6
Ex.PW6/C	Certificate under section 65B of	PW6

	Indian Evidence Act	
Ex.PW7/A	Endorsement on the rukka	PW7
Ex.PW8/A	Photocopy of attendance register of accused Sushma Aggarwal	PW8
Ex.PW8/B	Photocopy of agreement of part/full time sweeper in leave gap agreement against permanent full/part sweeper	PW8
Ex.PW8/C	Certificate under section 65B of Indian Evidence Act	PW8
Ex.PW8/D	Seizure memo of documents	PW8
Ex.PW9/A	Notice under section 91 Cr.P.C	PW9
Ex.PW9/B	Order dated 05.08.2022 of Delhi Commission for Safai Karamchari	PW9
Ex.PW9/C	Statement of witness Akash Khokhar	PW9
Ex.PW9/D	Statement of witness Vivechan Gunpal	PW9
Ex.PW9/E	Details of application of certificate of	PW9

	complainant	
Ex.PW9/F	Notice under section 41A Cr.P.C	PW9
Ex.PW9/G	Written reply	PW9

3. Chart of material document

Sr No.	Description of the documents	Exhibit
1	Pen drive	Ex.P1

Certified that this Judgment contains 24 pages and each page bears my signatures.

(Samar Vishal)
ASJ-02, South District
Saket Courts, New Delhi
30.04.2026