

**CNR No. DLST01-003970-2019**

**SC No. 363 of 2019**

**State Vs Rakesh Yadav & Anr.**

**FIR No. 98/2019**

**PS Hauz Khas**

**11.04.2023**

**Present:** Sh. Santosh Kumar, Ld. Additional PP for State.  
Both accused in person.  
Sh. Mukesh Kumar Mall, Ld. Counsel for both accused.  
Sh. Ajeet Kumar, Ld. Counsel for complainant.  
Complainant in person.

Arguments on point of charge have been addressed by all the parties. Records perused carefully.

I have considered the rival contentions.

There are specific allegations of hurling of casteist slurs at the complainant at a place within public view by both accused persons, namely, Rakesh Yadav and Rekha Yadav. There are also specific allegations of criminal intimidation against both the accused persons.

The contentions of Ld. Counsel for the accused regarding false implication and there being inconsistencies in case of the prosecution are a matter of trial. At the stage of framing of charge, the Court is required to see whether the circumstances on record give rise to a grave suspicion against the accused persons or not.

In view of the above discussion, *prima facie*, there is **sufficient material on record to frame charge against both accused**

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**persons, namely, Rakesh Yadav and Rekha Yadav as follows :**

**(i) offence punishable u/s 3(1)(r)(s) SC & ST Act, 1989;**

**(ii) offence punishable u/s 506/34 IPC and;**

**(iii) offence punishable u/s 3(2)(va) SC & ST Act, 1989**

(Section 506 IPC being a scheduled offence under the SC & ST Act).

Accordingly, formal charge has been framed and explained to both accused persons. Both accused have pleaded not guilty and have claimed trial.

Let PW Sh. Gyan Chand (mentioned at Serial No. 01 in the list of witnesses) be summoned through the IO for next date of hearing.

MHC(M) with case property, if any, be also summoned through the IO for next date of hearing.

IO be summoned through the SHO concerned for next date of hearing.

Now to come up for PE on **25.08.2023**.

**(Vrinda Kumari)**  
**ASJ-02 (South)**  
**New Delhi/11.04.2023**