

**IN THE COURT OF SH. NAVJEET BUDHIRAJA**  
**ADDITIONAL SESSIONS JUDGE-02, SOUTH**  
**DISTRICT, SAKET COURTS, NEW DELHI**

CNR NO. DLST01-006600-2022

SC NO. 341 OF 2022

FIR NO. 1356/2014

PS MEHRAULI

IN THE MATTER OF

State

Versus

1. Neeraj Dahiya  
S/o Sh. Dalbir,  
R/o House No. B-70, Phase 2,  
Vijay Vihar Som Bazar Road,  
Rohini Sector – 4, Delhi.
2. Amer Chand  
S/o Sh. Rai Ram,  
R/o House No. L-174, Phase 2,  
Vijay Vihar,  
Rohini Sector – 4, Delhi.
3. Satish  
S/o Sh. Abhilash Singh,  
R/o House No. G-17, Phase 2,  
Vijay Vihar Som Bazar Road,  
Rohini Sector – 4, Delhi.
4. Saurav Yadav  
S/o Sh. Prithvi Raj Yadav,  
R/o Plot No. 27 & 28, Third Floor,  
Block – L, Mohan Garden,  
Uttam Nagar Delhi.

**Permanent Address –  
Village Ganeshpur, Post Kurar,  
Thana Merapur, Tehsil Kayam Ganj,  
Farrukhabad, Uttar Pradesh.**

5. **Sunil @ Bali  
S/o Mahender Singh,  
R/o House No. E-165,  
Som Bazar Road, Vijay Vihar-II,  
Rohini Sector – 4, Delhi-110085. .... Accused Persons**

## **ORDER ON CHARGE**

Vide this Order, I shall decide the point of charge in the present case.

2. I have heard detailed arguments on the point of charge and have perused the record carefully.

3. The fulcrum of the case of the prosecution is that complainant Varun Sharma was working in the field of event management. On 12.08.2014, complainant hired one private taxi through his friend Vikas to go to LA Mode Hotel Mahipal Pur to attend a party of his committee member. The taxi driver picked the complainant and his friend Deepak from his home and they went to LA Mode Hotel where they attended the party. After the party, complainant and Deepak were returning home in the said taxi and at about 04:30-04:45 AM, when they reached at Andheria Mod, MG Road, one car tried to overtake their taxi in zig zag manner, however, their taxi driver managed to go ahead of the said car.

However, the said car overtook their taxi and stopped in front of the taxi and from the said car, few young boys came out and they made the taxi driver sit in their car. Then four boys sat in the taxi and robbed the complainant of Rs 20,000/-, one Karbon A-25 mobile phone, one Nokia mobile phone and his friend Deepak of Rs 16,000/-, Karbon A-25 mobile phone and wallet having PAN Card and identity proof on knife point. Thereafter, the said boys de-boarded the complainant and Deepak from the car near Qutub Metro Station from where they took an auto and reached at Lado Sarai Police Post. Complainant also called on 100 number from the mobile phone of the auto driver and also called his friend Vikas on his phone number and he came to know that he and the taxi driver were fine.

4. The above-mentioned complaint formed the basis for registration of the First Information Report (FIR) and after investigation, charge-sheet came to be filed against accused Neeraj Dahiya, Amer Chand and Satish. Later on, supplementary charge-sheet was also filed against accused Saurav Yadav and Sunil @ Bali.

5. Ld. Counsel for accused Neeraj Dahiya, Amer Chand and Satish and Ld. DCLADC for accused Saurav Yadav and Sunil @ Bali advanced the arguments. Ld. Additional PP for the State also made submissions on the point of charge.

6. On poring over the charge-sheet, it is revealed that the

complaint was in regard to robbery of one Accent car bearing no. DL-8CJ-4416, some cash amount and mobile phones by some persons at knife-point. The taxi driver was also abducted. The date and time of the incident is stated to be 12.08.2014 at about 04:30/45 AM and complaint was promptly lodged following which the tehrir was sent on the same day at about 06:40 AM for registration of the FIR. Accused Satish, Amer Chand and Neeraj Dahiya were arrested on the same day. Some cash amount was recovered from accused Satish and Amer Chand which is stated to be part of the robbed amount and both these accused persons were found in the said Accent car which was allegedly robbed. From accused Neeraj Dahiya, knife was recovered which he used while carrying out the alleged robbery. Thus, prima facie, offence punishable under Section 120B/392/365 of the Indian Penal Code, 1860 (IPC). In addition, offence under Section 397 IPC is also made out against accused Neeraj Dahiya.

7. In so far as accused Saurav Yadav and Sunil @ Bali are concerned, they were arrested on the disclosure statement of co-accused persons and nothing incriminating have been recovered from them. Their identity, as per the supplementary charge-sheet, was got fixed upon showing them to the complainant in the police station without adopting the legal procedure of subjecting them to Test Identification Proceedings. Thus, there is no legal evidence to frame charges against these accused persons.

8. In view of the afore-going discussion, accused persons, namely, **Neeraj Dahiya, Amer Chand and Satish** are to be charged for the offences under Section 120B/392/365 IPC and accused **Neeraj Dahiya** is also to be charged for offence under Section 397 IPC. However, in the absence of any evidence against accused **Saurav Yadav and Sunil @ Bali**, they stand discharged from the present case.

**PRONOUNCED IN OPEN COURT ON THIS 24<sup>th</sup> DAY OF  
FEBRUARY 2025**

**(NAVJEET BUDHIRAJA)  
ASJ-02/SOUTH/SAKET COURTS  
NEW DELHI**

**Certified that this Order contains 05 pages and each page  
bears my signatures.**

**(Navjeet Budhiraja)  
ASJ-02, South District  
Saket Courts, New Delhi  
24.02.2025**