

SC 411/2022  
STATE Vs. SUBHASH GUPTA  
FIR No. 505 /2020  
P.S. Sangam Vihar

07.08.2023

Pr: Sh. Pravin Rahul, Ld. Addl. PP for State.  
Complainant in person with counsel Sh. Joginder.  
Mr. Rakesh Gaur, ld. counsel for all accused.  
All accused are present on bail except accused Akash.

Matter is listed for arguments on charge today.

Arguments heard.

It is submitted on behalf of ld. counsel for accused persons that they have falsely been implicated in the present case. It is further submitted that no offence under Section 308/452/34 IPC is made out against accused.

On the other hand, ld. Addl. PP for the State submitted that at the time of incident accused persons restrained the complainant Ram Avtar Gupta from entering the shop. It is further submitted that accused persons in furtherance of their common intention attacked upon the complainant and Manoj with bricks/pieces of brick and caused them injuries on their vital parts of body. It is further submitted that as per MLC on record, injured Manoj sustained simple sharp injuries and complainant also sustained simple injuries and hence all accused persons are liable to be charged for the offence u/s 308/341/323/324/34 IPC.

Case of the prosecution is that on 11.10.2020 at about 7.10 p.m. in gali no. 19 opposite H. No. 586, K Block, Sangam Vihar, New Delhi, accused persons in furtherance of their common

intention restrained the way of complainant and caused simple sharp injuries upon Manoj and complainant as well with bricks/pieces of bricks.

In view of the statement of witnesses, evidence and MLC of injured persons, prima-facie case is made out against the accused persons for the offence under Section 308/341/323/324/34 IPC.

Accordingly, charge for the offence u/s 308/341/323/324/34 IPC framed against the accused persons. They pleaded not guilty and claimed trial.

List the matter for P.E. on **27.09.2023**.

Material witnesses/injured be summoned for the adjourned date.

(Sanjeev Kumar Singh)  
Addl. Sessions Judge-03(South)  
Saket Courts/New Delhi/07.08.2023/(rk)