

SC No.112/2022
STATE Vs. SAPAN DAS
FIR NO.175/2018

PS CRIME BRANCH-SOUTH WEST DELHI

20.12.2025

Present: Shri Dushyant Siwatch, Ld. Chief PP for the State.
Proceedings against the accused Sapan Das and
Vikas stand abated.
Accused Sandeep absent.
Remaining accused persons present on bail.
Shri V. S. Chauhan, Deputy Legal Aid Defence
counsel for the accused persons i.e. Shanu and
Mohd. Nizammuddin.
Sh. Dilip Kumar, Ld. Counsel for remaining accused
Rinku, Ajay, Raju, Sandeep and Bharat on VC.

Vide this order, I shall adjudicate upon the point of framing of the charge qua all the accused persons.

During the course of arguments, it has been submitted by Ld. Counsel for accused on behalf of accused Sapan Das that there is no incriminating evidence against him and he has been falsely implicated in the present case. It has been further argued on behalf of remaining accused persons that the recovery of stolen articles has not been properly proved and there are material discrepancies during the investigation. It is further argued that all the accused persons have been falsely implicated in the present matter, hence they be discharged in the present case.

Arguments heard. Record perused.

Perusal of the record reflects that as per the charge-sheet, there are allegations against the accused persons are that on 14.06.2018 at about 3.10 a.m., Security Guard Rakesh Singh had informed the complainant telephonically that 5-6 men who were having iron rods and pipe in their hands had leaped over the

wall and entered into under construction Power Grid Complex, Sector-05, Dwarka after threatening the Security Guards namely Rakesh Singh, Sarvesh Singh and Ramesh Chander who were on duty at that time and broke open the locks of the store room and committed the theft of cables, cable glands, copper lugs, tools & tackles and other misc. articles. Further, as per the charge-sheet on the basis of secret information, accused Sapan Das was apprehended who disclosed about the commission of offence and at his instance, other accused persons were also arrested. It is further alleged that at the instance of accused Sapan Das, the site plan of the spot where the offence was committed was prepared. Accused Sapan Das also refused to join the TIP proceedings and insisted that the stolen articles were found in the possession of accused Shanu Malik and Mosin. Further, as per the charge-sheet, the accused persons Rinku, Ajay, Raju, Vikas and Bharat @ Ram also refused to undergo the TIP proceedings. Further, at the instance of accused Bharat @ Ram, site plan of the spot was prepared and accused Ajay also got prepared the site plan of the ATM which was used for the commission of offence. Further, at the instance of accused Shanu Malik, the scrap dealer to whom the above-said stolen articles were sold was arrested and at the instance of accused Mosin, Nizamuddin and Mobin, some of the stolen articles were recovered. Perusal of the charge-sheet further reflects that all the accused persons refused to undergo TIP proceedings and invoices of the stolen articles have been placed on record.

Hence, in view of the above facts and circumstances, there is prima facie sufficient material against all the accused persons for the commission of offence punishable U/Sec.395/458/34 IPC and further, there is prima facie sufficient

material to frame the separate charge against the accused persons namely Shanu Malik, Nizamuddin and Mosin U/Sec.412 IPC.

Accused Sandeep is absent.

An oral request has been made on behalf of accused from exemption from personal appearance on behalf of accused Sandeep.

Heard. In view of submissions made, accused is exempted from personal appearance for today only with directions to appear on the NDOH.

Accordingly, re-list the matter for framing of formal charges on **16.01.2026**.

(Gurmohina Kaur)
ASJ-05/South-West District,
Dwarka/ Delhi/22.12.2025