

Item No. 8
SC No.138/2026
State Vs. Manoj Singh Mehta & Anr.

26.02.2026

Present: Sh. V.K. Swami, Ld. Addl. PP for the State.
Both accused are produced from JC.
Sh. Ashok Kumar Jha and Sh. Raj Inder Singh,
counsels for both the accused.

I have heard Ld. APP for the State and counsel for the accused and have perused the material available on record.

Counsel for the accused pleaded that section 110 BNS is added at the subsequent stage against the accused. The victim namely Diwakar Sharma was discharged from the hospital on the same day. The “*chauper*” has not been recovered till date. The recovery of the “*chain*” at the instance of the accused is doubtful in nature. Hence, no offence is made out against the accused and therefore, they may be discharged.

On the contrary, Ld. APP for the State pleaded that the accused are specifically named in the FIR and they, in pre planned manner, inflicted multiple head injuries and nasal injury to the victim as mentioned in the MLC of the victim Diwakar Sharma which was drawn on the same day. He also pleaded that the nature of the injuries is grievous. Hence, he prays that the accused may be charged accordingly.

Perusal of the record reveals that specific and serious allegations have been made against the accused. The effect of the abovementioned pleas raised by counsel for the accused are matter of trial.

Perusal of MLC of the victim reveals that he sustained multiple head injuries and nasal injury including fracture in nasal bone. Nature of injuries sustained by the victim is grievous.

In view of the foregoing discussion, a prima-facie case u/s 126(2) / 109(1) / 3 (5) / 351 (3) BNS is made out against both the accused persons. Accordingly, a separate charge for the same is framed to which both the accused pleaded not guilty and claim trial.

At the request of Ld. APP, let the witnesses mentioned at S. No. 1, 2, 4, 6 and 7 of the list of witnesses be summoned for 25.03.2026 and the witnesses mentioned at S. No. 3, 5, 8 of the list of witnesses be summoned for 30.03.2026.

Put up for PE on 25.03.2026 and 30.03.2026.

(PANKAJ GUPTA)
Principal District & Sessions Judge
South-West, Dwarka Courts
New Delhi/26.02.2026