

(Applicable Procedural Law: BNSS, 2023)

CNR No.DLSW01-011034-2026

Reg. No.SC/512/2026

State Vs. Tushar & Anr.

FIR No. 414/2023

PS : Dwarka Sector-23

U/S : 394/397/411/34 IPC

05.09.2026

Present: Sh. Vijender Singh Kharb, Ld. Addl. PP for the State

Accused No.1 (Tushar) is produced from Jail No.10 (on Court bail in this case) and Accused No.2 (Gaurav) is present on Court bail with Ld. Counsel Sh. Surendra Choudhary.

1. Arguments on the point of charge heard. Record perused.
2. The perusal of record shows that on 25.12.2023 at about 02:15 pm both the accused persons robbed a mobile phone from the complainant at Sector-26, Dwarka, Delhi. The said mobile phone was recovered at the instance of Accused No. 2 on 27.12.2023 from his rented house.
3. Ld. Addl. PP for the State contended that there is sufficient material to frame charges against both the accused persons for the offences punishable u/Sec. 394/397 IPC. It is further contended that accused No. 2 is also liable to face trial for the offence punishable U/s 411 IPC.
4. Ld. Counsel for the accused persons contended that the accused persons were arrested on alleged disclosure made in some other FIR and recovery was planted upon them. Hence, they are entitled to be discharged.
5. I have considered the rival submissions. Record perused.
6. Both the accused persons had refused to participate in the

TIP proceedings on 02.01.2024 and hence, an adverse presumption that they may have been involved in commission of the offence, is liable to be raised against them. Recovery of the stolen property has further been effected from the accused No. 2.

7. In view of above, a prima facie case giving rise to grave suspicion is made out against both the accused persons for commission of the offences punishable u/Sec.394/397 IPC and against accused Gaurav for commission of the offence punishable U/Sec. 411 IPC. Hence, charges framed accordingly to which the accused persons have pleaded not guilty and claimed trial.

8. Re-notify the matter for **PE on 15.10.2026. Complainant be summoned for the said date along with MHC(M) (with case property) and the IO (for the assistance of Ld. Addl. PP for the State).**

(Jyoti Kler)
ASJ-03 & Special Judge (Companies Act)
Dwarka Courts (SW)/New Delhi/05.09.2026