

SC No. 729-2019
State Vs. Anil Kumar @ Ishdev @ Kala & Anr.
FIR No. 420/2019
PS : Bindapur
U/s : 307/34 IPC & 25/27 Arms Act
CNR No. DLSW01-011309-2019

13.12.2021

It is submitted by Prosecution Naib Court that Ms. S. K. Baweja, Ld. APP has been assigned as a substitute APP today.

Present: None for the State.
Shri V. S. Chauhan, Ld. LAC for the accused Anil Kumar @ Ishdev.
Both accused are in person (ID Card shown).

Matter is passover for arguments on the point of charge.

(SUNIL BENIWAL)
ASJ-05/South-West District

13.12.2021 (at 11:05 am)

Present: None for the State.
Shri V. S. Chauhan, Ld. LAC for the accused Anil Kumar @ Ishdev.
Shri S. K. Singh, Ld. Counsel for the accused Pradeep Solanki.
Both accused are in person (ID Card shown).

Arguments addressed by both the learned counsels.

Ld. LAC had submitted that as per the contents of the charge-sheet, which are not admitted, at best, charges under Section 324 IPC read with Section 34 IPC is made out. Moreover, it is submitted that as per the contents of the statement of the complainant and the charge-sheet, no person of reasonable mind would accost the complainant especially when niceties were observed at the beginning of the interaction. If for the sake of the arguments only the prosecution was to go on a theory, the chances of such a quarrel are made out when the complainant did not wish the accused person. So the story of the complainant at this stage, as to how the interaction started seems unbelievable.

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Ld. Counsel Sh. S. K. Singh has submitted that there is a single injury which take the matter outside the scope of Section 307 IPC and as per the statement of complainant Neeraj, accused Pradeep @ Banti has no role in the present alleged offence. Furthermore, even the injury as alleged is stated to be simple in nature.

Re-list the matter for arguments on charge from the side of prosecution as learned substitute APP cannot addressed arguments today on account of huge work load in her Court on 05.03.2022.

(SUNIL BENIWAL)
ASJ-05/South-West District,
Dwarka Courts/New Delhi
13.12.2021 (hg)