

SC No. 191/2025
STATE Vs. AMAN ALIAS DEVENDER(JC)
FIR NO. 158/2025
PS NIHAL VIHAR
CNR No. DLWT01-004160-2025

29.05.2025

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Both accused persons produced from JC.
Sh. Luv Dixit, Counsel for the accused Aman @ Devender
through VC.

Counsel for the accused Charanjeet Singh @ Kake has
already conceded on the charge on the last date of hearing.

Arguments on charge heard on behalf of accused Aman @
Devender.

Counsel for the accused Aman @ Devender submits that no
charge under Section 311 BNS (old section 397 Cr.PC) is made out
against the accused Aman @ Devender as allegations against the accused
are that he used the paper cutter and scissor and they do not come under
the category of deadly weapon. He further argued that the size of the
blade of paper cutter was 6.5 cm and therefore it does not come under the
purview of deadly weapon.

Whether the paper cutter or the scissor can be considered as
the deadly weapon or not is a question of fact and not of law which
cannot be decided without leading the evidence of the parties.

Moreover, the arguments of Ld. Addl. PP for the state
cannot be ignored that the court is also required to see the intention of the

accused also which cannot be proved without there being evidence of the parties.

In view of the above submissions and on perusal of charge sheet, statement of witnesses recorded under Section 161 Cr.P.C. and other material placed on record, a *prima facie* case is made out to try the accused persons for the commission of offence punishable under Sections 309(4)/3(5) and 311 BNS.

Accordingly, charges are framed against the accused persons, to which, they pleaded not guilty and claimed trial.

Summons be issued to PWs i.e. complainant, Sh. Sunil Chabra and Sh. Amit and MHC(M) to appear in person and produce the case property for the next date of hearing.

List the matter for **PE on 04.08.2025.**

(Madhu Jain)
Principal District & Sessions Judge (West)
Delhi/29.05.2025