

SC No. 138-2020
State Vs. Dharmender Mehto @ Pantool
FIR No. 677/2019
PS : Dabri
U/s : 307 IPC
CNR No. DLSW01-002445-2020

07.11.2022

Present: Shri Dushyant Siwatch, Ld. Additional Public Prosecutor for the State.
Shri Robin Kamra and Ms. Namrata, counsels from the office of Chief
Legal Aid Defence counsel for the accused Dharmender Mehto.
Accused on bail.
IO ASI Naresh Kumar.

Arguments on charge heard.

During the course of arguments, counsel for the accused submits that as per the prosecution case, accused was in drunken condition at the time of alleged incident, therefore, it can be inferred that he was not aware about the consequences of alleged incident, hence, he may not be charged for the offence under Section 307 IPC.

On the contra, Learned Addl. PP for the State has opposed the said arguments stating that accused has caused injuries upon the neck of the injured i.e. vital part by using blade and doctor has opined the said injury as dangerous, therefore, offence punishable under Section 307 IPC is made out. Heard.

After having gone through the submissions advanced by both the counsels and perusal of the record, I find that complainant has categorically stated that accused caused injuries upon his neck by using blade and the said injury was opined as dangerous by the doctors. In view of the nature of the injury upon the vital parts of the injured, I am of the considered view that offence punishable under Section 307 IPC is made out. Accordingly, charge be framed.

Charge for the offence under Section 307 IPC is framed against the

accused to which he pleads not guilty and claims trial.

PWs Shiv Kumar @ Doctor, Dr. D. L. Sahu and Ct. Anil be summoned through IO concerned for next date of hearing. Also issue summons to MHC(M) concerned to produce the case property, if any, on next date of hearing.

Re-list the matter for prosecution evidence on 06.02.2023.

(R. L. Meena)
ASJ-05/South-West District,
Dwarka Courts/New Delhi
07.11.2022 (hg)