

SC No. 697/19
FIR No.511/19
PS Bhalaswa Dairy
State Vs. Vikram

29.09.2020

Present : Sh. J.S. Malik, Id. Addl. PP for State.
Accused has not produced from JC.
Ms. Divya Malhotra, Id. Legal Aid Counsel for accused.
Sh. C.B. Tiwari, Id. Counsel for the accused.

Legal Aid Counsel filed her Vakalatnama on behalf of accused. Same be taken on record.

Arguments on the point of charge heard **through physical hearing.**

ORDER ON CHARGE :

During arguments, Id. Counsel for accused submits that accused had never demanded any dowry from any relative or the parents of his wife. Even otherwise, it is submitted that the contents of the FIR, even if taken to be correct on its face value, do not make out a case under Section 498-A or 304-B IPC. The basic ingredients of the alleged offence under which the FIR is registered are not made out against the accused.

On the other hand, Id. Addl. PP for State has argued that prima-facie case U/s 498-A/304-B IPC is made out against the accused

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in view of the statement of father of deceased. Hence, charge should be framed accordingly.

Record perused.

There are clear allegations in the FIR against the accused regarding demand of dowry, cruelty and harassment meted out to the deceased by the accused, as a result of which she committed suicide on 16.08.2019 in her matrimonial home and her death was within 7 years of her marriage. Keeping in view the afore-mentioned submissions and material available on record, prima facie case is made out against accused Vikram U/s 498-A/304-B IPC. Charge be framed accordingly.

Put up for framing of charge **on 10.11.2020.**

(Jitendra Kumar Mishra)
ASJ/Spcl. Judge (NDPS):
North, Rohini Courts, Delhi
29.09.2020