

**IN THE COURT OF SH. GURVINDER PAL SINGH
PRINCIPAL DISTRICT & SESSIONS JUDGE
NORTH-WEST DISTRICT, ROHINI COURTS, DELHI**

CNR No. DLNW01-004146-2024

SC No. 334/24

State v. Maan Singh @ Chhuari

FIR No. 524/21

PS Ashok Vihar

u/s. 307 IPC

03.09.2025

ORDER ON SENTENCE

Having convicted accused Maan Singh @ Chhuari s/o Tulsi on 27.08.2025 for commission of offence under section 307 IPC; I have heard Sh. G.S. Guraya, Ld. Chief Public Prosecutor for State; Sh. Ashish Dahiya, Ld. CLADC for convict Maan Singh @ Chhuari; the convict and have perused the record.

2. Ld. Chief Public Prosecutor for State prayed for award of maximum permissible sentence to convict and no lenient view to be taken since the convict had assaulted victim/injured with sharp edged object on neck with intention to cause his death but the victim/injured was fortunate to have survived.

3. Sh. Ashish Dahiya, Ld. CLADC for convict Maan Singh @ Chhuari prayed for lenient view for convict with the submission that he has already suffered detention for more than nine months and prayed for his release after sentencing him to imprisonment for period of detention already undergone. Convict Maan Singh @ Chhuari is stated to be of age 29 years, illiterate, unmarried, Beldar

(labourer) by profession, earning Rs.500/- per day, being sole bread earner for his mother of age 50 years and not a previous convict. It is submitted by the convict that there is another case pending against him where he is accused of offence under section 397 IPC in other Court of Sessions, which case is of June 2023.

4. Vegetable seller on cart PW2 injured Tuntun Shah was sitting in Belt Wala Park, near Railway Line on fateful day consuming liquor there when the convict Maan Singh came near PW2 asking PW2 for liquor but when PW2 refused to give liquor to convict Maan Singh @ Chhuari, convict started quarreling with PW2 resulting in PW2 making a little distance from convict. While PW2 was sitting there; convict Maan Singh @ Chhuari came towards PW2 and from backside hit on neck of PW2 with sharp edged object. PW2 suffered incised wound on neck lateral side (right side) of dimension 7-8 cms x 1 cm. Suturing of wound of PW2 was done by examining doctors. Aforesaid injury of injured Tuntun Shah PW2 was opined as dangerous. At the time of assault on neck of PW2; assaulting person i.e. convict Maan Singh @ Chhuari was of age 25 years and a grown up person and taken to know that by his such assault by such sharp edged object by blow on neck, vital body part of PW2 Tuntun Shah, the convict would be endangering life of PW2 Tuntun Shah. The act of convict by assaulting on neck of PW2 Tuntun Shah by sharp edged object *ipso facto* proved the intention of convict to cause death of PW2 Tuntun Shah by such an act. The aforesaid act of convict Maan Singh @ Chhuari was accordingly held to be an act of attempt to murder

PW2 Tuntun Shah.

5. Convict during trial changed the address but did not furnish his new address to Court and due to non-appearance of the convict on 30.07.2024 before my Ld. Predecessor, his NBWs were issued. On 22.08.2024 even surety Sewak Ram was not knowing about new address of the convict nor the convict on appearance provided his new address. My Ld. Predecessor sent the convict in Jail on 22.08.2024 from where he was enlarged on bail on 03.06.2025.

6. There is no material on record of any previous conviction of convict Maan Singh @ Chhuari in any other criminal case. However, it is own version of convict Maan Singh @ Chhuari that he is facing trial for offence under section 397 IPC with co-accused pertaining to incident of June 2023 in other Court of Sessions in North-West District of Rohini Courts. Enlarging convict Maan Singh @ Chhuari on probation of good conduct is passe part not made in the fact of the matter. True that for 50 years old mother of the convict; the convict Maan Singh @ Chhuari is sole bread earner earning daily wages from work of Beldar/labourer as put forth. It has also been the version of the convict that he has a younger sister, who is married and living in her matrimonial home.

7. Proved act of convict Maan Singh @ Chhuari of assault by sharp edged object on neck of injured PW2 Tuntun Shah causing dangerous injuries endangering life of PW2 by attempting to

commit his murder just because of his refusal to give liquor to convict Maan Singh @ Chhuari; impels me to sentence convict Maan Singh @ Chhuari as under. I accordingly sentence convict Maan Singh @ Chhuari under Section 307 IPC to Rigorous Imprisonment of four years and also to pay fine of Rs.5000/-; in failure of payment of which, convict Maan Singh @ Chhuari shall undergo three months Simple Imprisonment. On realisation of the fine, it shall be payable to victim/injured PW2 Tuntun Shah after expiry of period of appeal or order of Appellate Court, whichever is earlier.

8. Benefit under section 428 Cr.P.C. be given to the convict. Period of detention undergone be reduced from period of sentence.

9. Copy of the judgment and copy of order on sentence be provided to the convict, free of cost, immediately.

10. Reader to prepare the Custody Warrant of the convict.

11. File be consigned to Record Room after necessary compliance.

**Announced in the open Court
today i.e. 3rd September 2025**

(Gurvinder Pal Singh)
Principal District & Sessions Judge (NW)
Rohini Courts, Delhi (sb)