

**IN THE COURT OF SH. KARANBIR SINGH, JMFC-02,
CENTRAL DISTRICT, TIS HAZARI COURT, DELHI**

**STATE VS. RAHUL KUMAR @RAKESH KUMAR and AJAY
FIR NO. 267/2018
POLICE STATION PRASAD NAGAR
U/S 324/506/34 IPC**

Date of institution of the case	:	11.11.2020.
Date of judgment reserved	:	17.07.2026.
Date of commission of offence	:	27.08.2018.
Name of the complainant	:	Babu Lal
Name of accused and address	:	1. Rahul Kumar @Rakesh Kumar S/o Sh. Padam Singh, R/o 16/570-I, Bapa Nagar, Karol Bagh, Delhi. 2. Ajay Kumar S/o Late Sh. Kailash, R/o R/o 16/517-I, Bapa Nagar, Karol Bagh, Delhi (Proceedings against him abated vide order dated 20.02.2023)
Offence complained of	:	324/506/34 IPC
Plea of the accused	:	Pleaded not guilty
Date of Judgment	:	20.07.2026
Final order	:	ACQUITTED.

JUDGMENT

1. The story of the prosecution, in brief, is that on 27.08.2018 at about 11:45 PM, at H.No. H-16/570, Bapa Nagar, Karol Bagh, Delhi, Delhi within the jurisdiction of Prasad Nagar, accused persons in furtherance of their common intention voluntarily caused greivous hurt with help of sharp edged weapon to

complainant namely Shriram Tiwari and also threatened to destroy his house and property and thereby committed offences punishable u/s 324/506/34 IPC.

COURT PROCEEDINGS :

2. Upon completion of investigation, police report under Section 173 Cr.P.C was filed. The copy of the police report and annexed documents were supplied to the accused in due compliance of Section 207 Cr.P.C. During Trial, proceedings against accused Ajay were abated.

CHARGE :

3. After supplying copies of documents u/s 207 Cr.P.C, arguments on charge were heard. Charge u/s 324/506/34 IPC was framed against the accused to which he pleaded not guilty and claimed trial.

EVIDENCE OF THE PROSECUTION :

4. In order to substantiate its case, prosecution has examined following witnesses.

5. **PW-1 Sh. Ram Tiwari** deposed that he does not remember the exact date, month and the year but around 3-4 years ago, he was sitting outside his house. Ajay stabbed knife in his back and ran away from the spot. His son made the call at 100 number. He went to the hospital and got treatment there. He does not remember the other facts due to the lapse of time. He does not remember the exact date, month and year of the incident but on the day of incident he was sitting in the verandah of my house. Accused Ajay came to his house and stabbed him with a knife. Accused Ajay was the friend of his neighbour Rahul

and he was not in conscious state and that is why he also gave the name of accused Rahul to the police officials.

6. **PW-2 HC Shiv Kumar** deposed that On 02.11.2018, he was posted as constable at PS Prasad Nagar. On that day, he joined the investigation in the present case along with IO SI Ravi Saini. Thereafter, he along with IO reached at H. NO. 16/573-I, I Block, Ground floor, Bapa Nagar, Delhi and IO arrested the accused Rahul in his presence and also conducted his personal search vide memos Ex. PW2/A and Ex. PW2/B both bearing his signature at point A. Accused was released on police bail by the IO. IO recorded his statement U/s 161 Cr.P.C. and discharged him.

7. **PW-3 ASI Suresh** deposed that after the transfer of SI Ravi, the present case was marked to him. He has filed the charge-sheet before the Court for Judicial verdict.

8. **PW-4 HC Bir Singh** deposed that on 09.01.2019 he was posted as Constable at PS Prasad Nagar and on that day he joined the investigation in the present case alongwith the IO SI Ravi Saini. IO arrested and personally searched the accused Ajay Kumar in his presence at PS Prasad Nagar vide memo Ex. PW4/A and Ex. PW4/B each bearing his signature at point A. Thereafter the accused was released on the police bail and IO recorded his statement u/s 161 Cr.P.C. and discharged him.

9. **PW-5 SI Ravi Saini** deposed that on 27-28.04.2018, he was posted in PS PRASAD NAGAR on emergency duty at his duty timings were 08:00 pm to 08:00 am. He was on emergency duty alongwith Ct.Muninder. They received the DD No. 3A at about 12:15 am. He reached at the spot alongwith Ct. Muninder. On reaching at the spot, no witness was found. Upon local inquiry it was found that injured has been

shifted to LHMC Hospital. Thereafter, he reached alongwith Ct. Muninder at LHMC Hospital. They found Mr. Shri Ram Tiwari under treatment. He did not give his statement at that time. On 28.04.2018 he deposited the MLC to the Doctor for his opinion. On 29.06.2018 they received result of MLC. On the aforesaid date, complainant also came to the PS and gave his statement which is already Ex.PW1/A. On the basis of this statement, He got FIR registered. The Tehrir prepared by him which is now Ex.PW5/A bearing his signatures at point A. Thereafter, he prepared site plan at the instance of complainant which is now Ex.PW5/B bearing his signatures at point A. Complainant was joined in the investigation and both the accused persons were searched but no clue was found. He recorded supplementary statement of complainant on the same day u/s 161 CrPC and he was discharged. On 02.11.2018, he alongwith Ct. Shiv Kumar searched and arrest the accused Rahul @ Rakesh vide arrest memo which is already Ex.PW2/A bearing his signatures at point B. The personal search memo of accused is already Ex.PW2/B bearing his signatures at point B. Accused Rahul was released on police bail and his bail bonds are Ex.PW5/C bearing my signatures at point A. On 01.09.2018 accused Ajay was arrested vide arrest memo already Ex.PW4/A bearing his signatures at point B and he was personally searched vide memo already Ex.PW4/B bearing his signatures at point A. He was released on police bail vide memo already ExPW5/D bearing his signatures at point he recorded statements of Ct. Bir Singh and Ct. Shiv Kumar during the investigation. Thereafter, he was transferred and file was handed over to MHC (R).

10. Star witness of the prosecution turned completely hostile and did not support the case of the prosecution. Even in his cross-examination by Ld. APP he stated that accused Rahul did not abuse or threaten him. he deposed that only Ajay hit him with a sharp object. Thus, the ingredients of Section 324 IPC i.e. voluntarily causing hurt with the help of a sharp edged weapon have not been proved by the

prosecution beyond reasonable doubt. Further, he has not implicated anything against accused Rahul with respect to Section 506 IPC.

11. Result of aforesaid discussion is that prosecution has failed to bring home the guilt of accused beyond reasonable doubt. Therefore, accused is entitled to benefit of doubt and he is accordingly acquitted of the offences alleged against him.

This judgment consists of 5 pages and each and every page of this judgment is digitally signed by me.

ANNOUNCED IN OPEN COURT (KARANBIR SINGH)
ON 20th July, 2026 **JMFC-02, Central District**
Tis Hazari Courts/20.07.2026.