

**THE COURT OF SESSIONS JUDGE, JHANSI.**

**Present: Jyotsna Sharma, H.J.S.**

**S.T. No. 432/2020**

**CNR NO. UPJS01-002525-2020**

**State**

**Vs.**

**Sushil Yadav & three others**

U/Ss 302/120B/201 IPC

P.S.Nawabad,

District Jhansi.

Crime No. 147/2020

**CHARGE**

I, **Jyotsna Sharma**, Sessions Judge, Jhansi, do hereby charge you **Sushil Yadav alias Sonu Yadav, Narendra Rajpoot, Ankit Yadav alias Surendra Yadav and Smt. Poonam Tiwari alias Purnima** as follows:-

That on 08.05.2020 at unknown time at village Konchhabhanwar within circle of P.S. Nawabad, all of you, entered into a conspiracy to commit murder of Alok Tiwari, the husband of accused Smt. Poonam Tiwari.

And that on 08.05.2020 at 17.00 hours near the pond at village Konchhabhanwar, within the circle of P.S. Nawabad, District Jhansi, **Sushil Yadav alias Sonu Yadav, Narendra Rajpoot, Ankit Yadav alias Surendra Yadav**, in pursuance to above conspiracy, committed murder of Alok Tiwari, the husband of accused Smt. Poonam Tiwari, by intentionally or knowingly causing injuries on his head, and thereby committed an offence punishable under Section 302 read with 120B I.P.C. and within the cognizance of this court.

Secondly, that you, on the aforesaid date, time and place knowing or having reason to believe that murder of Alok Tiwari has been committed, set his dead body on fire near the pond at village Konchhabhanwar to cause the evidence of that offence to disappear with the intention of screening themselves from legal punishment, and thereby committed an offence punishable under section 201 I.P.C. and within the cognizance of this Court.

And I hereby direct you to be tried on the said charges by this court of Sessions

**(Jyotsna Sharma)**  
**Sessions Judge,**  
**Jhansi.**

**Dated: 11.02.2021**

Charges framed, read over and explained in Hindi to the all accused persons, who pleaded not guilty and claimed to be tried.

**(Jyotsna Sharma)**  
**Sessions Judge,**  
**Jhansi.**

**Dated: 11.02.2021**

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Case called out.

Accused Ankit Yadav alias Surendra and Sushil are present on bail, while accused Narendra Rajpoot and Smt. Poonam Tiwari are present in judicial custody from District Jail, Jhansi.

Heard D.G.C. (Crl.) for State and counsel for accused persons as well as accused persons on the point of charges.

D.G.C.(Crl.) opened the case and described the evidence available on record including the statements of witnesses, postmortem report, in which the injuries and superficial burn were found on the body of deceased and the memo of recovery. Hence, there is prima facie sufficient evidence to frame charges for the offence under Section 302 read with 120B and 201 I.P.C. against the accused.

Learned counsel for accused has argued that they are innocent and had no role in the incident. There is no eye witness of the incident and that evidence is not sufficient for framing charges U/S 302 read with 120B and 201 I.P.C. Hence, accused are liable to be discharged.

I perused the contents of FIR, postmortem report, recovery memo, other prosecution papers and statement of witnesses, who have given evidence of conspiracy hatched by them and thereafter executing their plan to murder Alok Tiwari and setting his dead body on fire to cause the evidence of that offence to disappear for screening themselves from legal punishment. In my view, there is prima facie sufficient evidence to frame charges for the offence under Section 302 read with 120B, 201 I.P.C. against the accused.

Let charges be framed accordingly.

**( Jyotsna Sharma)**  
**Sessions Judge,**  
**Jhansi.**

**Dated: 11.02.2021**

Charges framed, read over and explained in Hindi to the accused in presence of their respective counsels Sri Ashok Kumar Nayak, Advocate and Sri Vishal Soni, Advocate. Accused pleaded not guilty and claimed to be tried.

Put up on 17.03.2021 for prosecution evidence.

**( Jyotsna Sharma)**  
**Sessions Judge,**  
**Jhansi.**

**Dated: 11.02.2021**