

THE COURT OF SESSIONS JUDGE, JHANSI.

Present: Jyotsna Sharma, H.J.S.

JO Code No. UP5386

S.T. No. 1020/2021

CNR NO. UPJS01-006417-2021

State

Vs.

Sukhlal Pal

U/S 302/34 IPC

P.S. Sipri Bazar,

District Jhansi.

Crime No.369/2021

CHARGE

I, **Jyotsna Sharma**, Sessions Judge, Jhansi, do hereby charge you **Sukhlal Pal** as follows:-

That on 06.08.2021 at 11:00 pm, at house of Dharmendra, situated at Suryapuram Colony, within the circle of P.S. Sipri Bazar, District Jhansi, you along with your associate, in furtherance of your common intention, have committed murder by intentionally or knowingly causing death of **Smt. Kranti alias Sukhdevi** (wife of complainant), by strangling her with a piece of cloth gamachha and thereby committed an offence punishable under Section 302 read with 34 I.P.C. and within the cognizance of this court.

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

(Jyotsna Sharma)
Sessions Judge,
Jhansi.

Dated: 27.04.2022

Charge framed and read over to the accused in Hindi, who is produced before me, in presence of his counsel Sri Suboth Srivastav, Advocate, who pleaded not guilty and claimed to be tried.

(Jyotsna Sharma)
Sessions Judge,
Jhansi.

Dated: 27.04.2022

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Case called out.

Accused is present from District Jail, Jhansi.

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

Learned D.G.C.(Crl.), for the State, opened the case and described the material available on record. the Investigating Officer during investigation collected cogent material against the accused and submitted charge sheet for the alleged offence. There is prima facie sufficient material on record to frame charges for the offences under Section 302 read with 34 of Indian Penal Code against the accused.

On the other hand, learned counsel for accused has submitted that he has been falsely implicated in this case. Charge sheet has been submitted against accused Sukhlal Pal without collecting reliable evidence. Prosecution witnesses have not supported the version of F.I.R. Hence, accused is liable to be discharged.

I perused the contents of F.I.R., the inquest, the postmortem report of deceased and statements of witnesses recorded under section 161 Cr.P.C. including the statements of witnesses Ganesh Rajpur, Dharmendra, Arvind Kumar and other witnesses, who have supported the prosecution version. It is the settled law that defence of accused cannot be considered at the stage of framing charges. There is, in my view prima facie sufficient evidence to frame charges for the offence under Sections 302 read with 34 I.P.C. against the accused.

Let charge for the said offence be framed against the accused.

(Jyotsna Sharma)

Sessions Judge,

Jhansi.

Dated:27.04.2022

Charge framed and read over to the accused in Hindi, who is produced before me, in presence of his counsel Sri Suboth Srivastav, Advocate, who pleaded not guilty and claimed to be tried.

Put up on **30.05.2022** for prosecution evidence.

(Jyotsna Sharma)

Sessions Judge,

Jhansi.

Dated:27.04.2022