

In the Court of Sherryl Sohi, Judicial Magistrate Ist Class, Jalandhar.
(UID No.PB0397)

CIS Case No.	CHI-1358/2021
CNR No.	PBJL030036932021
Date of Institution	12.03.2021
Date of Order	24.03.2021
Committed for	07.04.2021

State

Versus

1. Arjun @ Nigro son of Mehboob, R/o
Huts, Dr.Ambedkar Nagar, Chaugitti,
Jalandhar.

2. Sunil Kumar @ Rinku son of Raghav
Parshad, R/o H.No.32, Guru Ramdass
Nagar, Santokhpura, Jalandhar.

.....Accused

FIR No.203 dated: 08.12.2019
Under Sections 302, 34, 454, 380, 411 & 413 of Indian
Penal Code.
Police Station Division No.1, Jalandhar.

Present:

Sh.Gagandeep Singh, APP for the State.

Accused Sunil Kumar @ Rinku on bail represented by
counsel.

Accused Arjun @ Nigro in custody represented by counsel.

COMMITMENT ORDER

Above named accused were booked, challaned and
forwarded by Station House Officer (S.H.O.) of Police Station Division
No.1, Jalandhar to face trial for commission of offence punishable under
Sections 302, 34, 454, 380, 411 & 413 of Indian Penal Code.

2. Briefly stated, the case of the prosecution is that on 08.12.2020 Inspector Rajesh Kumar alongwith other police officials were present at Maqsudan Chowk, Jalandhar, where they received telephonic information that dead body of Chowkidar was found in closed factory near Capson Factory, GT Road, Suranassi, Jalandhar. Thereafter, police party reached at the disclosed place, where they found one dead body of 50 years male lying on the wooden bed, who was strangled with scarf with his legs tied. The blood was oozing from his nose and there were injuries above his left eye and left cheek. It seemed that some unknown persons killed him by strangled his neck and by beating him. The name of the deceased was Pardeep Pathak @ Parveen son of Amba Dutt Pathak, who was working as Chowkidar at Metal Corporation Factory. Ruqa was sent for registration of FIR under Section 302/34 IPC. After registration of FIR (First Information Report), investigation was ensued. During investigation, finger prints were collected and photography was also conducted at the spot. The evidence/articles were collected from the spot, which were sealed in separate parcels bearing seal impression 'RK'. Scaled site plans were prepared. It was also found that there was big hole on one wall, adjoining to railway tracks of factory. The postmortem on the dead body of deceased was got conducted from Civil Hospital, Jalandhar and thereafter, dead body was handed over to legal heirs. However, during postmortem, cloth piece of purple colour stained with blood, cloth of torn underwear, which was used for tying legs of deceased, one mufler, which was used for strangulation and other clothes of deceased were

handed over to Investigating Officer and were also sealed in separate parcels bearing seal impression RK. During investigation, secret informant disclosed that he heard the talks of Arjun Nigro, Sumit and Goldy to the effect that they murdered the chowkidar of closed factory at Suranassi, upon which they were searched, but could not be located and their names were added vide rapat No.29 dated 14.12.2020. However, during the nakabandi and checking, accused Arjun @ Nigro was apprehended and thereafter, accused Sumit and Goldy were also apprehended on receiving secret information. They confessed their guilt and disclosed during interrogation that on 07.12.2020, they entered into the closed factory, nearby the Capson Factory, by breaking the backside wall with an intention to commit theft, but chowkidar of said factory saw them while committing theft and tried to call on his mobile phone. They snatched his mobile phone and Arjun @ Nigro hit on the head of chowkidar, due to which, blood started oozing. They tied his legs with cloth of his underwear and then he became unconscious. Arjun @ Nigro tied his muffler around his neck and they all pulled said muffler, as a result of which he died. Thereafter, they took iron, mobile phone and purse of Chowkidar and sold the iron to Sunil Kabadia for worth ₹.2000/-. Goldy took ₹.600/- from the purse of Chowkidar and Sumit took his mobile phone. The said purse and mobile phone was got recovered by them, which was taken into police possession and sealed in a separate parcels. Site plans of place of recovery were prepared and accused were arrested. Sections 454, 380 and 411 IPC were added vide

rapat No.41 dated 16.12.2020. Accused Sunil Kumar @ Rinku, who used to purchase stolen articles from the aforesaid accused was also arrested in the present case on the disclosure statements of accused Arjun @ Nigro. On the basis of Ossification test report, accused Sumit and Goldy were declared to be juvenile and were sent to Juvenile Justice Board. Section 413 was also added vide rapat No.29 dated 10.03.2021. Statements of witnesses under section 161 Cr.P.C. were recorded. On completion of the required investigation, challan was presented in the court for judicial verdict.

3. On appearance of accused in the Court, copies of challan and other attached necessary documents, as relied upon by prosecution, were supplied to them free of costs as required under Section 207 of Code of Criminal Procedure, 1973.

4. Accused have been challaned/charge-sheeted in the present case for commission of the offence punishable under Sections 302, 34, 454, 380, 411 & 413 of IPC, out of which Section 302 IPC is exclusively triable by Court of Sessions, so the present case is committed to the Court of learned Sessions Judge, Jalandhar for 07.04.2021. Accused Sunil Kumar @ Rinku is on bail in this case and he is directed to appear before the Court of Learned Sessions Judge, Jalandhar on 07.04.2021 at 10.00 a.m. sharp. Accused Arjun @ Nigro, who is in judicial custody, subject to the provisions of Code of Criminal Procedure relating to the bail, is further remanded to judicial custody. Jail authorities are directed to produce the said accused before the Court of Learned Sessions Judge,

Jalandhar on 07.04.2021 at 10.00 a.m. sharp. Order of commitment be notified to the Public Prosecutor, Jalandhar. Ahlmad of this Court is directed to send the record of the case and documents and articles, if any, which are to be produced in evidence, complete in all respects, to the Court of Learned Sessions Judge, Jalandhar, well before the date fixed.

Pronounced in open Court:
Dated: 24.03.2021

(Sherryl Sohi),
Judicial Magistrate Ist Class,
Jalandhar.(UID No.PB0397)

*Nishu/JW**

Present: Sh.Gagandeep Singh, APP for the State.
Accused Sunil Kumar @ Rinku on bail represented by
counsel.
Accused Arjun @ Nigro in custody represented by counsel.

Accused Arjun @ Nigro has been produced by Jail authorities. Copies of all the documents have been supplied to the accused as free of costs as envisaged under section 207 Cr.P.C. Heard. Vide my separate detailed order of even date, present case is committed to the Court of Learned Sessions Judge, Jalandhar for 07.04.2021. Accused Sunil Kumar @ Rinku is on bail in this case and he is directed to appear before the Court of Learned Sessions Judge, Jalandhar on 07.04.2021 at 10.00 a.m. sharp. Accused Arjun @ Nigro, who is in judicial custody, subject to the provisions of Code of Criminal Procedure relating to the bail, is further remanded to judicial custody. Jail authorities are directed to produce the said accused before the Court of Learned Sessions Judge, Jalandhar on 07.04.2021 at 10.00 a.m. sharp. Order of commitment be notified to the Public Prosecutor, Jalandhar. Ahlmad of this Court is directed to send the record of the case and documents and articles, if any, which are to be produced in evidence, complete in all respects, to the Court of Learned Sessions Judge, Jalandhar, well before the date fixed.

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