

**CNR No.DLCT12-000093-2023**  
**Cr. Case No. 06/2023**  
**U/s 354/354A/354D/506(1) IPC**  
**FIR No. 78/2023**  
**PS-Connaught Place**  
**State Vs. Brij Bhushan Singh & Anr.**

**11.08.2023**

Present: Sh. Atul Srivastava, Ld. Addl. PP present.

Sh. Abhishek Singh, Ld. substitute APP for the state.

IO/SI Pooja present, along with SHO, PS-Connaught Place and Insp. Sandeep Kumar, SIT.

Sh. Harsh Bora, Ld. Counsel for the complainants.

Accused Vinod Tomar and accused Brij Bhushan Singh are present.

Sh. Rajiv Mohan, Ld. Counsel for both the accused persons.

Matter is listed for arguments on charge.

Ld. Addl. PP has opened arguments by submitting that the submissions made by the Ld. defence counsel are not meritorious.

Firstly, qua submissions made by the defence in reference to Section 188 Cr.P.C., it is submitted that the bar of Section 188 is applicable when the offence is committed outside India in its entirety and not otherwise. Reliance is placed on judgment of Hon'ble Supreme Court in Sartaj Khan vs. State of Uttarakhand, Criminal Appeal No. 852 of 2018.

Secondly, it is argued that the offences in question have partly been committed in Delhi and partly outside and therefore, the Delhi Court will have jurisdiction.

Thirdly, it is argued that matter at hand squarely falls u/s 354 IPC and having recourse to Section 468(3) Cr.P.C., there can be no questions on the bar of limitation.

Fourthly, it is argued that the oversight committee report cannot be called a report which has exonerated the accused. As per the Ld. Addl. PP, it is merely a departmental enquiry and the same does not bar the jurisdiction of this court.

Lastly, it is argued that the court is duty bound to only see the material on record in the strict brackets of *prima facie scrutiny* and a mini trial cannot be conducted at this stage.

Arguments heard, taken on record. Ld. Addl. PP has placed on record the following judgments:

a) Bhawna Bai vs Ghanshyam and others, Criminal Appeal No. 1820 of 2019

b) Dhanpati @ Dhanwanti vs The State (Govt. of NCT of Delhi), CRL.M.C. 3101/2019

c) Sonu Gupta vs Deepak Gupta, Criminal Appeal Nos. 285-87 of 2015

Ld. Counsel for the complainants submits that the Ld. Senior counsel will be arguing for the complainants and for the said purpose, an adjournment is requested.

**:: 3 ::**

Not objected. Allowed.

Be put up for further arguments on **19.08.2023 at 11:30 AM.**

Date and time given as per the convenience of the Ld. Counsels.

**(Harjeet Singh Jaspal)**  
**ACMM-04/RADC/New Delhi**  
**11.08.2023**