



**CHARGE SHEET**

**(Under Section 173 (2) (i) Cr. P.C.)**

**IN THE COURT OF SH. SHAMSHER SINGH, A.S.J.,  
DWARKA COURT, NEW DELHI**

**STATE  
VS  
RAKESH KUMAR  
AND OTHERS**

Case FIR No. 311/2022 DATED: 02/02/2022 U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18, PS. Mohan Garden

**(CASE IS LISTED FOR ARGUMENTS ON CHARGE)**



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# ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

## FINAL REPORT FORM

(Under Section 173 Cr. P.C.)

IN THE COURT OF SH. SHAMSHER SINGH, A.S.J.,

DWARKA COURT, NEW DELHI

1. Distt. SOUTH WEST P.S. MOHAN GARDEN. YEAR 2022 FIR 311  
DATE 02-02-2022

2. Final Report/Charge Sheet No. Date

4. Act(s): Section(s)

(i) IPC, 1860 34, 120 B, 361, 363 & 376DA

(ii) THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCE  
ACT, 2012 6 & 8

(iii) THE ARMS ACT, 1959 25 & 27

(iv) J.J. ACT, 2000 15 & 18

5. Type of final Form/Charges Sheet/Not Charge Sheeted for want of  
evidence/FR  
Undetected/FR Untraced/FR offence abated/FR unoccurred: Final  
charges Sheet .....

6. If FR: Unoccurred. False/mistake of fact/mistake of law/non-  
cognizable/civil nature \_\_\_\_\_  
\_\_\_\_\_

7. If charge sheet-Original/Supplementary- Original

8. Name of the I.O W/SI Sangeeta No. D- 1420 PIS No- 28870038

9. a. Name of the Complainant/informant: SMT KAJAL

b. Father's/Husband Name- (W/O) SATYAJIT KUMAR (R/O) H. No.  
42 A, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW  
DELHI- 110059.



## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

10. Details of Properties Articles/Documents recovered/seized during investigation and relied upon separated list can be attached if necessary

S.N.	Property Description	Estimated Value (in Rs.)	Property Register No.	From Whom/where Recovered or sized	Disposal
1	2	3	4	5	6
	As per seizure Memo				

11. Particular of accused person charge-sheeted:(Use separate sheet for each accused)

- (A) (i) Name- **RAKESH KUMAR** Whether verified-Yes\_\_\_\_\_
- (ii) Father's Name- Sh. Sunil Kumar R/o H. No. 38 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059.
- (iii) Date/Year of Birth- 16 years
- (iv) Sex- Male
- (v) Nationality – Indian
- (vi) Passport No. – Date of issue – Place of issue –
- (vii) Religion. Hindu
- (viii) Whether SC/ST – N/A
- (ix) Occupation – Unemployed.
- (x) Whether verified: Yes.
- (xi) Provisional Criminal No.
- (xii) Regular Criminal No.(If know)\_\_\_\_\_
- (xiii) Date of Arrest 15/2/22
- (xiv) Date of release on bail: N/A
- (xv) Under Acts & Sections:- (i) IPC, 1860 – 34, 120 B, 361, 363, & 376DA (ii) The Protection of Children From Sexual Offence Act,



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- 2012 – 6 & 8 (iii) The Arms Act, 1959 – 25 & 27 (iv) J.J. Act, 2000 - 15 & 18
- (xvi) Name (s) of bailers/sureties and address (es): Accused in Rehabilitation Centre.
- (xvii) Previous convictions with case references:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (xviii) Status of the accused: In Rehabilitation Centre.

- (B)(i) Name- ANUJ KUMAR** Whether verified-Yes\_\_\_\_\_
- (ii) Father's Name- Sh. Puneet Kumar R/o H. No. 22 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059.
- (iii) Date/Year of Birth- 26 years
- (iv) Sex- Male
- (v) Nationality – Indian
- (vi) Passport No. – Date of issue – Place of issue –
- (vii) Religion. Hindu
- (viii) Whether SC/ST – N/A
- (ix) Occupation – Unemployed.
- (x) Whether verified: Yes.
- (xi) Provisional Criminal No. \_
- (xii) Regular Criminal No.(If know)\_\_\_\_\_
- (xiii) Date of Arrest 17/2/22
- (xiv) Date of release on bail: N/A
- (xv) Under Acts & Sections:- (i) IPC, 1860 – 34, 120 B, 361, 363, & 376DA (ii) The Protection of Children From Sexual Offence Act, 2012 – 6 & 8 (iii) The Arms Act, 1959 –25 & 27 (iv) J.J. Act, 2000 - 15 & 18
- (xvi) Name (s) of bailers/sureties and address (es): Accused in J.C.
- (xvii) Previous convictions with case references:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (xviii) Status of the accused: In J.C.



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

- (C)(i) Name- ANIL KUMAR** Whether verified-Yes\_\_\_\_\_
- (ii) Father's Name- Sh. Amar Kumar R/o H. No. 64 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059.
- (iii) Date/Year of Birth- 27 years
- (iv) Sex- Male
- (v) Nationality – Indian
- (vi) Passport No. – Date of issue – Place of issue –
- (vii) Religion. Hindu
- (viii) Whether SC/ST – N/A
- (ix) Occupation – Unemployed.
- (x) Whether verified: Yes.
- (xi) Provisional Criminal No.\_\_\_\_
- (xii) Regular Criminal No.(If know)\_\_\_\_\_
- (xiii) Date of Arrest 17/2/22
- (xiv) Date of release on bail: N/A
- (xv) Under Acts & Sections:- (i) IPC, 1860 – 34, 120 B, 361, 363, & 376DA (ii) The Protection of Children From Sexual Offence Act, 2012 – 6 & 8 (iii) The Arms Act, 1959 –25 & 27 (iv) J.J. Act, 2000 - 15 & 18
- (xvi) Name (s) of bailers/sureties and address (es): Accused in J.C.
- (xvii) Previous convictions with case references:  
\_\_\_\_\_  
\_\_\_\_\_
- (xviii) Status of the accused: In J.C.

- (D)(i) Name- AJAY KUMAR** Whether verified-Yes\_\_\_\_\_
- (ii) Father's Name- Sh. Arun Kumar R/o H. No. 45 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059.
- (iii) Date/Year of Birth- 30 years
- (iv) Sex- Male (v) Nationality – Indian (vi) Passport No. – Date of issue – Place of issue – (vii) Religion. Hindu
- (viii) Whether SC/ST – N/A
- (ix) Occupation – Unemployed.
- (x) Whether verified: Yes.
- (xi) Provisional Criminal No.\_\_\_\_
- (xii) Regular Criminal No.(If know)\_\_\_\_\_



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- (xiii) Date of Arrest 17/2/22  
(xiv) Date of release on bail: N/A  
(xv) Under Acts & Sections:- (i) IPC, 1860 – 34, 120 B, 361, 363, & 376DA (ii) The Protection of Children From Sexual Offence Act, 2012 – 6 & 8 (iii) The Arms Act, 1959 – 25 & 27 (iv) J.J. Act, 2000 - 15 & 18  
(xvi) Name (s) of bailers/sureties and address (es): Accused in J.C.  
(xvii) Previous convictions with case references:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(xviii) Status of the accused: In J.C.

### 12. Particular of accused persons-not charge sheeted (suspect) (Separate sheet for each suspect)

SI. No. \_\_\_\_\_ (i) Name \_\_\_\_\_ Whether verified \_\_\_\_\_ (ii) Sex \_\_\_\_\_ (v) Nationality \_\_\_\_\_ (vi) Passport No. \_\_\_\_\_ Date of issue \_\_\_\_\_ Place of issue \_\_\_\_\_ (vii) Religion \_\_\_\_\_ (viii) Whether SC/ST \_\_\_\_\_ (ix) Occupation \_\_\_\_\_ (x) Address \_\_\_\_\_

Whether verified \_\_\_\_\_ (xi) Provisional Criminal No. \_\_\_\_\_

(xii) Suspicion Approved: \_\_\_\_\_ Yes/No.

(xiii) Status of the accused (suspect):

(xvi) Any Special remarks including reasons for not charge sheeting.....

### 13. Particular of witnesses to be examined:

S. No	Name/Father's/Husband's Name	Address of witness	Type of witness
1.	Kumari Manisha D/o Sh. Kamal	H. No. 11 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059	Prosecutrix



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2.	Smt. Kajal w/o Sh. Satyajit Kumar	H. No. 42 A, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059	Complainant/Eye Witness/ Neighbour of Prosecutrix
3.	Sh. Satyajit Kumar S/o Sh. Vinod Kumar	H. No. 42 A, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059	Eye Witness/ Neighbour of Prosecutrix
4.	Sh. Santosh Kumar S/o Sh. Arvind Kumar	H. No. 43 , ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059	Eye Witness/ Neighbour of Prosecutrix
5.	Sh. Amit Kumar S/o Sh. Raj Kishore	H. No. 48 , ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059	Eye Witness/ Neighbour of Prosecutrix
6.	M.M. Ms. C MANJU KUJUR	DWARKA COURT	With 164 Cr. P.C. Statement
7.	DR. HEMLATA SR. GNYE	SANJAY GANDHI HOSPITAL MANGOL PURI, DELHI	Prove of Prosecutrix Medical with MLC No 153 dt. 02-02-2022
8.	A.S.I. GHISA RAM NO. 2543 WEST PIS NO. 28780461	P.S. MOHAN GARDEN	With Original Case FIR No. 311/22 D.O.
9.	H.C. SHER SINGH	P.S. MOHAN GARDEN	Prove the statement on 17.02.2022



## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

10.	W/SI SANGEETA D-1420 PIS NO 28870038	I.O.	P.S. MOHAN GARDEN
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14. If FR is false, indicate action taken or proposed to be taken U/S 182/211 IPC: \_\_\_\_\_

**15. Result of Laboratory Analysis : As attached**

16. Brief Facts of the case

An FIR was recorded on the statement of complainant on 02-02-2022 which states as under:

"I, Kajal, W/o Satyajit Kumar, state that I live at R/o H. No. 42 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi along with my husband and a child.

On 02-02-2022 around 08:30 am, I went to the terrace of my house to hang wet clothes. While putting the wet clothes on hanger in my terrace, I heard an intense crying of a girl from the vacant plot covered with dense bushes in front of my house. I immediately rushed to my husband and called him on the terrace from where we saw that four persons, one of them holding a pistol and rest of them were physically and sexually abusing a girl.

We immediately rushed to the vacant plot with two of our neighbors namely Sh. Santosh Kumar and Sh. Amit Kumar. When we reached at the vacant plot, we saw all of the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 and (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059, all





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are the resident of the same locality in which we reside, one of them, RAKESH KUMAR, fired a gun shots at us and all of them started fleeing from the vacant plot. When they were fleeing from the vacant plot, the pistol fell down from the hand of RAKESH KUMAR but it was picked up by AJAY KUMAR who tucked the pistol in his waist. All of them fled from the spot on two motor bikes.

Thereafter we rushed to the girl who was crying inconsolably. She was also bleeding from her private parts. When we asked her as to what happened to her, she couldn't say anything as she was not in a state to answer our questions. My husband. Sh. Satyajit Kumar, immediately called police by dialing 100 number. After sometime, the Police came."

On the above said complaint, the FIR was registered U/S 34, 120 B, 361, 363 & 376DA of IPC, 6 & 8 of POCSO Act, 25 & 27 of Arms Act and 15 & 18 of J.J. Act and the investigation was handed over to me.

I called a Lady Counsellor from NGO 'ASHA'. I sent the victim to the DDU Hospital along with W/Ct. Sashi Bala No. 2192/W and the lady counselor. The victim was medically examined vide MLC No. 62/22 dated 02.02.2022.

The statements of witnesses were recorded. MLC report received from the hospital confirmed rape and sexual assault on the victim. Samples of vaginal swab was collected in the Hospital and was sent for forensic examination.

After the release of the victim from the hospital, her counselling was done by the NGO 'Asha'. Thereafter her statement under section 164 Cr.P.C. was recorded by the assigned Hon'ble Metropolitan Magistrate.

On the basis of intelligence received from a secret informant, accused RAKESH KUMAR was arrested from Flat No. 213, New Rastriya CGHS, Sector- 17, Dwarka, New Delhi on 15.02.2022 around 12:30 PM. Upon enquiry, he disclosed that his age is 16 yrs. Upon further enquiry from his school records, it was found that the accused Rakesh was indeed of 16 years age. Upon further enquiry, he disclosed that



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he along with ANUJ KUMAR, ANIL KUMAR and AJAY KUMAR have kidnapped the victim on gun point when she was going to her school which is Kamal Model School on 02.02.2022 around 08:00 am on two motor bikes (i) BAJAJ PULSAR 180 whose registration no is DL 9S BG 7345 and (ii) HERO SPELENDOR whose registration no is DL 7S BG 9495. They took the victim on the vacant plot where they sexually assaulted the victim. He further confessed that he had pointed the gun on the forehead of the victim and thereupon all the accused including himself raped the victim. He further disclosed that alarmed by the shouting of the victim, some of the local residents started coming towards the vacant plot where they were sexually assaulting the victim. Noticing the local residents, they got scared and to make way out while running away, he fired one shot from his pistol upon the residents. He also disclosed the about possible hide out of the remaining accused as House No. 79 A, Vikaspuri, Uttam Nagar, New Delhi. A team was formed and a 24-hour surveillance was conducted at the address disclosed by the accused Rakesh Kumar. The accused Rakesh Kumar, thereafter, was produced before the JJ Board on 16.02.2012, and was subsequently taken to juvenile rehabilitation center by the order of the Board.

In the morning of 17.02.2022, we received a message from our surveillance team that 3 persons have entered into the premise as disclosed by the accused Rakesh i.e., House No. 79 A, Vikaspuri, Uttam Nagar, New Delhi. With the permission of SHO, I immediately formed a raiding team and reached the above address. Before entering the house, we requested 2 neighbors viz. Hemant Kumar and Kundan Kumar to join us as witness. Both of them agreed to accompany us. Thereafter, we entered the house and arrested ANUJ KUMAR, ANIL KUMAR and AJAY KUMAR on 17.02.2022 around 10:30 am.

During the search of the House No. 79 A, Vikaspuri, Uttam Nagar, New Delhi, one country made weapon (Katta) along with 5 live cartridges which is of (315 bore) was recovered from the afore said address, the search was conducted in presence of the above said two independent witnesses viz. Hemant Kumar, S/o Satish Chandra



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Singh, R/o House No. 80 A, Vikaspuri, Uttam Nagar, New Delhi and Kundan Kumar, S/o Kameshwar Prasad, R/o House No. 81, Vikaspuri, Uttam Nagar, New Delhi. Arrest memo of all the accused and Seizure memo of the pistol/katta along with live cartridges was prepared. The said pistol and live cartridges were sealed in separate Pulindas. Finger print of AJAY KUMAR was also taken. All the seized articles along with finger print of AJAY KUMAR was sent to CFSL for forensic examination.

Thereafter, during the course of the interrogation of all accused, all of them independently disclosed and admitted that they have kidnapped the victim on gun point when she was going to her school which is Kamal Model School on 02.02.2022 around 08:00 am on two motor bikes i.e. (i) BAJAJ PULSAR 180 whose registration no is DL9SBG 7345 and the (ii) HERO SPELENDOR whose registration no is DL7S BG9495 and they have taken the victim on the vacant plot where they sexually assaulted the victim. The accused ANUJ KUMAR confessed that he held the legs of the victim and also torn the clothes of the victim. Accused ANIL KUMAR confessed that he held the hands of the victim and also pressed the mouth of the victim so that she couldn't make noise while RAKESH and AJAY KUMAR raped the victim. AJAY KUMAR confessed that he along with all other accused persons committed rape upon the victim, however, the accused could not suppress the voice of the victim and that is how some of the residents of the locality, where the offence was committed, heard the voice of victim. They also jointly confessed that alarmed by the shouting of the victim, some of the local residents started coming towards the vacant plot where they were sexually assaulting the victim. Noticing the local residents, they got scared and to make way out while running away, Rakesh fired one shot from his pistol upon the residents. AJAY KUMAR also confessed that when they were running out from the crime spot, he saw that the katta (pistol) fell down from the hands of RAKESH KUMAR. AJAY KUMAR further said that he picked the weapon and kept in his waist. All of the accused persons fled from the crime spot on their motor bikes on which they have kidnapped the victim and committed the offence.



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All the 3 accused viz. ANUJ KUMAR, ANIL KUMAR and AJAY KUMAR were produced in court of the Metropolitan Magistrate and by the order of the Hon'ble Court, all the accused named above were sent to judicial custody.

In regard to the accused RAKESH who was found to be over 16 years of age, the Hon'ble board under Juvenile Justice act 2015 conducted an assessment of the accused RAKESH under section 15 of the JJ ACT and passed an order directing Trial of the accused RAKESH as adult under section 18 of the Act.

In view of the above facts and circumstances all the accused viz. RAKESH KUMAR, ANUJ KUMAR, ANIL KUMAR and AJAY KUMAR are prima facie being charge sheeted U/s 34, 120 B, 361, 363, & 376DA IPC, 1860, 6 & 8 POCSO Act, 2012, 25 & 27 The Arms Act, 1959, J.J. Act, 2000 - 15 & 18 Trial may be conducted, accused persons is in J.C.

s/d IO

Approved by

s/d SHO



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### FIRST INFORMATION REPORT (Under Section 154 Cr.P.C )

1. District: SOUTH WEST DELHI P.S: MOHAN GARDEN YEAR:  
2022  
FIR NO: 311 DATE: 02-02-2022

2. Act(s):	Section(s)
(i) IPC, 1860	34, 120 B, 361, 363 & 376DA
(ii) THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCE ACT, 2012	6 & 8
(iii) THE ARMS ACT, 1959	25 & 27
(iv) J.J. ACT, 2000	15 & 18

3. Occurrence of offence

(a) Day: Wednesday Date From: 02-02-2022 Date to:  
02-02-2022  
Time Period : Time From: 08:30hrs Time To: 09:00hrs

(b) Information received at P.S  
Date : 02-02-2022  
Time : 08:45hrs

(c) General Dairy Reference:  
Entry No. : 51 A  
Date /Time : 21:10hrs.

4. Type of information: Written

5. Place of Occurrence

(a) Direction And Distance from P.S: WEST/2.0km

(b) Address: VACCANT PLOT No. 68, NEAR RAGHUBHIR SINGH MODEL SCHOOL, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI - 110059.



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(c) In case, Outside the limit of the Police Station:

Name of P.S

District:

6. Complainant / Informant:

- (a) Name : SMT. KAJAL (W/O) SATYAJIT KUMAR
- (b) Date/Year of Birth: 1983 Nationality : INDIA
- (c) Passport No : Date of Issue Place of Issue
- (d) Occupation : HOUSE WIFE
- (e) Address : H. No. 42 A, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059

7. Details of known/Suspect/ Unknown accused with full particulars (attach separate sheet if necessary)

- (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059.
- (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059.
- (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059.
- (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059.

8. Reason for delay in reporting by the complainant/informant  
NO DELAY

9. Particulars of the properties stolen /involved (attach separate sheet if necessary):

SI. No: Property Type (Description)  
Est value (Rs)



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10. Total Value stolen

11. Inquest Report/U.D. Case No., if any

12. "I, Kajal, W/o Satyajit Kumar, state that I live at R/o H. No. 42 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi along with my husband and a child.

On 02-02-2022 around 08:30 am, I went to the terrace of my house to hang dry wet clothes. While putting the wet clothes on hanger in my terrace, I heard an intense crying of a girl from the vacant plot covered with dense bushes in front of my house. I immediately rushed to my husband and called him on the terrace from where we saw that four persons, one of them holding a pistol and rest of them were physically and sexually abusing a girl.

We immediately rushed to the vacant plot with two of our neighbors namely Sh. Santosh Kumar and Sh. Amit Kumar. When we reached at the vacant plot, we saw all of the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 and (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059, all are the resident of the same locality in which we reside, one of them, RAKESH KUMAR, fired a gun shot at us and all of them started fleeing from the vacant plot. When they were fleeing from the vacant plot, the pistol fell down from the hand of RAKESH KUMAR but it was picked up by AJAY KUMAR who tucked the pistol in his waist. All of them fled from the spot on two motor bikes.

Thereafter we rushed to the girl who was crying inconsolably. She was also bleeding from her private parts. When we asked her as to what happened to her, she couldn't say anything as she was not in a state to answer our questions. My husband. Sh. Satyajit Kumar,



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immediately called police by dialing 100 number. After sometime, the Police came.”

13. Action Taken Since the above information reveals of offence (s) u/s as mentioned at item No 2:

(i) Registered the case and took up the investigation: OR

(ii) Directed (Name of the I.O): SANGEETA

Rank: SI (SUB-INSPECTOR)

No. - 28870038 to take up the investigation

(iii) Refused investigation due to

(iv) Transferred to P.S (name) District

on the point of jurisdiction

F.I.R read over to the complainant /information to be correctly recorded and a copy given to the complainant/ informant, free of cost:

R.O.A.C

14. Signature/ Thumb Impression of the Complainant/ Informant:

Signature/Thumb Impression

Signature of Officer

of The Complainant/Informant:

Name : UMEDI LAL

Rank : ASI No : 28940281

17. Date and Time dispatch to the court.

INNER CASE DIARY





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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

FIR No.	Date	U/S	PS
Case FIR No. 311/2022	Dt. 02/02/2022	U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18,	PS. Mohan Garden

**Statement of Kumari Manisha, aged about 15 years, D/o Sh. Kamal, (R/o) H. No. 11 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059, PS. Mohan Garden, Prosecutrix.**

### U/s 161 Cr.P.C

That on 02-02-2022 around 08:00 am, I was going to my school Kamal Model School, four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 kidnapped me on the gunpoint on two motorbikes and took me to a vacant plot covered with dense bushes which is in my locality.

Thereafter, RAKESH KUMAR he had pointed the gun on my forehead and thereupon all other persons raped me, ANUJ KUMAR holding my legs and he tried to tear my clothes, ANIL KUMAR was holding my hands and he was pressing my mouth, so that I cannot make noise and RAKESH KUMAR and AJAY KUMAR was in course of raping me.

ANIL KUMAR along with all other persons committed rape upon me, however, all persons could not suppress my voice and that is how some of the resident of the locality, where the offence was committed, heard my voice, was coming towards me on the crime spot, in lieu of saving themselves Rakesh Kumar fired the gunshot



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towards the resident and all other persons started fleeing from the crime spot, further, when they were fleeing from the crime spot the weapon which the RAKESH KUMAR was carrying in his hands i.e. country made weapon (Katta) fell down from the hands of the RAKESH KUMAR and further, it was picked up by AJAY KUMAR and he kept the weapon in his waist and all other persons fled from the crime spot on their motorbikes on which they have kidnapped me and committed the offence.

When some of the resident came near me, I was crying in pain and bleeding from my private parts, when resident asked me what happened to you, I was not in a state to answer any question.

Dated

10.02.2022

Signature of IO



INNER CASE DIARY

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**Statement of Kajal (W/o) Satyajit Kumar,(R/o) H. No. 42 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi-110059, PS. Mohan Garden, Complainant/Eye Witness/Neighbor of Prosecutrix.**

**u/s 161 Cr.P.C**

That on 02-02-2022 around 08:30 am, I went to terrace of my house to dry my wet clothes during the course when I was drying my clothes on my terrace, I heard an intense crying of a girl from the vacant plot covered with dense bushes which is in the front of my house.

I immediately rushed to my husband and called him on the terrace from where I have seen that four guy's one of them holding the weapon and rest of them trying to do unhuman act of outraging the modesty of a girl.

I immediately rushed to the vacant plot with my husband and two of our neighbor's namely Sh. Santosh Kumar and Sh. Amit Kumar, when I reached near the vacant plot I can see all of the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-



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110059, all are the resident of the same locality in which I resides, one of them namely RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 fired a gun shot at us and all of them started fleeing from the vacant plot, when they were fleeing from the vacant plot weapon from the hand of RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 fell down and it was picked up by AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 and he kept the weapon in his waist and all of them fled from the spot on the motor bikes.

When I reached near the girl she was crying inconsolably and bleeding from her private parts, when we asked her what happened to you, she did not utter a word as she was not in a state to answer my question, my husband namely Sh. Satyajit Kumar immediately called on Dial 100 number.



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**Statement of Satyajit Kumar (S/o) Vinod Kumar, (R/o)H. No. 42 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi-110059, PS. Mohan Garden, Eye Witness/ Neighbor of Prosecutrix.**

### u/s 161 Cr.P.C

That on 02-02-2022 around 08:30 am, my wife called me on the terrace of my house where she was drying the wet clothes during the course when she was drying the clothes on my terrace, she heard an intense crying of a girl from the vacant plot covered with dense bushes which is in the front of my house.

She immediately rushed to me and called me on the terrace from where I have seen that four guy's one of them holding the weapon and rest of them trying to do unhuman act of outraging the modesty of a girl.

I immediately rushed to the vacant plot with my wife and two of our neighbor's namely Sh. Santosh Kumar and Sh. Amit Kumar, when I reached near the vacant plot I can see all of the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-



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110059 (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059, all are the resident of the same locality in which I resides, one of them namely RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 fired a gun shot at us and all of them started fleeing from the vacant plot, when they were fleeing from the vacant plot weapon from the hand of RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 fell down and it was picked up by AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 and he kept the weapon in his waist and all of them fled from the spot on the motor bikes.

When I reached near the girl she was crying inconsolably and bleeding from her private parts, when my wife asked her what happened to you, she did not utter a word as she was not in a state to answer my wife question, I immediately called on Dial 100 number.



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**Statement of Santosh Kumar (S/o) Arvind Kumar, (R/o)H. No. 43, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi-110059, PS. Mohan Garden, Eye Witness/ Neighbor of Prosecutrix.**

**u/s 161 Cr.P.C**

That on 02-02-2022 around 08:30 am, I was called by my neighbors namely Sh. Satyajit kumar & Smt. Kajal and they have narrated the horrific incident of a girl where they have heard an intense crying of a girl from the vacant plot covered with dense bushes which is in the front of their house.

I immediately rushed to the vacant plot with Sh. Satyajit Kumar & Smt. Kajal and one of our neighbor's namely Sh. Amit Kumar, when I reached near the vacant plot I can see all of the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059, all are the resident of the same locality in which I resides, one of them namely RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW



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DELHI- 110059 fired a gun shot at us and all of them started fleeing from the vacant plot, when they were fleeing from the vacant plot weapon from the hand of RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 fell down and it was picked up by AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 and he kept the weapon in his waist and all of them fled from the spot on the motor bikes.

When I reached near the girl she was crying inconsolably and bleeding from her private parts, when Smt. Kajal asked her what happened to you, she did not utter a word as she was not in a state to answer any of the question, Sh. Satyajit Kumar immediately called on Dial 100 number.





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**Statement of Amit Kumar (S/o) Raj Kishore, (R/o)H. No. 48, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi-110059, PS. Mohan Garden, Eye Witness/ Neighbor of Prosecutrix.**

### u/s 161 Cr.P.C

That on 02-02-2022 around 08:30 am, I was called by my neighbors namely Sh. Satyajit Kumar & Smt. Kajal and they have narrated the horrific incident of a girl where they have heard an intense crying of a girl from the vacant plot covered with dense bushes which is in the front of their house.

I immediately rushed to the vacant plot with Sh. Satyajit Kumar & Smt. Kajal and one of our neighbor's namely Sh. Santosh Kumar, when I reached near the vacant plot I can see all of the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059 (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI-110059, all are the resident of the same locality in which I resides, one of them namely RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW



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DELHI- 110059 fired a gun shot at us and all of them started fleeing from the vacant plot, when they were fleeing from the vacant plot weapon from the hand of RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 fell down and it was picked up by AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 and he kept the weapon in his waist and all of them fled from the spot on the motor bikes.

When I reached near the girl she was crying inconsolably and bleeding from her private parts, when Smt. Kajal asked her what happened to you, she did not utter a word as she was not in a state to answer any of the question, Sh. Satyajit Kumar immediately called on Dial 100 number.



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**Statement of A.S.I. GHISA RAM, NO. 2543, PIS NO. 28780461, P.S. Mohan Garden, With Original Case FIR No. 311/22 D.O.**

### **u/s 161 Cr.P.C**

Statement that I am working as A.S.I. in P.S. Mohan Garden, on 02.02.2022 around 08:50 am, I received a phone call from PCR No. 752 regarding an offence has been committed with a girl, on the above mentioned address, which seems to like a minor, That, I along with other police officials reached on the above mentioned address which is the crime spot, thereafter after returning from the crime spot I entered in the police diary regarding the receiving of the complaint.



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**Statement of H.C. SHER SINGH, No. 2192, PIS No. 28106816, P.S. Mohan Garden**

### u/s 161 Cr.P.C

Statement that I am working as H.C. in P.S. Mohan Garden, that I will go along with you to investigate the case on 17.02.2022 that on the statement of Accused No. 1 all the other accused persons namely ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) above mentioned address aged about 26 yrs, ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) above mentioned address aged about 27 yrs, AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) above mentioned address aged about 30 yrs, were arrested from H. NO. 79 A, VIKASPURI, UTTAM NAGAR, NEW DELHI, on 17.02.2022 around 10:30 am.

That, during the search of the H. NO. 79 A, VIKASPURI, UTTAM NAGAR, NEW DELHI, one country made weapon (Katta) along with 5 live cartridges which is of (.315 bore) was recovered from the afore said address, the search was conducted in presence of the two independent witness who are HEMANT KUMAR (S/O) SATISH CHANDRA SINGH (R/O) H. NO. 80 A, VIKASPURI, UTTAM NAGAR, NEW DELHI and KUNDAN KUMAR (S/O) KAMESHWAR PRASAD (R/O) H. NO. 81, VIKASPURI, UTTAM NAGAR, NEW DELHI.



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**Statement of SI. SANGEETA, No-D-1420, PIS NO 28870038, PS. Mohan Garden, I.O.**

### u/s 161 Cr.P.C

Statement that I am working as SI in P.S. Mohan Garden, I am the Investigating officer in this case. During the investigation, Accused No. 1 who is RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) above mentioned address aged about 16 years was arrested from Flat No. 213, New Rashtriya CGHS, Sector- 17, Dwarka, New Delhi on 15.02.2022 around 12:30 PM, thereafter, on the statement of Accused No. 1 all the other accused persons namely ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) above mentioned address aged about 26 years, ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) above mentioned address aged about 27 years, AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) above mentioned address aged about 30 years, were arrested from H. NO. 79 A, VIKASPURI, UTTAM NAGAR, NEW DELHI, on 17.02.2022 around 10:30 am.

That, during the search of the H. NO. 79 A, VIKASPURI, UTTAM NAGAR, NEW DELHI, one country made weapon (Katta) along with 5 live cartridges which is of (315 bore) was recovered from the afore said address, the search was conducted in presence of the two independent witness who are HEMANT KUMAR (S/O) SATISH CHANDRA SINGH (R/O) H. NO. 80 A, VIKASPURI, UTTAM NAGAR, NEW DELHI and KUNDAN KUMAR (S/O) KAMESHWAR PRASAD (R/O) H. NO. 81, VIKASPURI, UTTAM NAGAR, NEW DELHI.

That, thereafter, during the course of the interrogation of Accused No. 1 along with all other accused persons confessed that they have



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kidnapped the victim on gun point when she was going to her school which is Kamal Model School on 02.02.2022 around 08:00 am on two motor bikes i.e. (i) BAJAJ PULSAR 180 whose registration no is DL 9S BG 7345 and the (ii) HERO SPELENDOR whose registration no is DL 7S BG 9495 and they have taken the victim on the vacant plot where the crime was committed.

That, thereafter, Accused No. 1 confessed that he had pointed the gun on the forehead of the victim and thereupon all the accused raped her.

That, thereafter, Accused No. 2 confessed that he was holding the legs of the victim and he tried to tear the clothes of the victim, Accused No. 3 was holding the hands of the victim and he was pressing the mouth of the victim, so that she cannot make noise and Accused No. 1 and Accused No. 4 was in course of raping the victim.

That, during the course of further investigation Accused No. 3 confessed that, he along with all other accused persons committed rape upon the victim, however, the accused could not suppress the voice of the victim and that is how some of the residents of the locality, where the offence was committed, heard the voice of victim.

During the course of further interrogation Accused No. 1 along with Accused No. 4 jointly confessed that by hearing the voice of the victim some of the local residents of the locality where the offence was committed was coming towards them on the crime spot, in lieu of saving themselves Accused No. 1 fired the gunshot towards the residents and all the accused persons started fleeing from the crime spot, further, Accused No. 4 confessed that when they were fleeing from the crime spot the weapon which the Accused No. 1 was carrying in his hands i.e. country made weapon (Katta) fell down from the hands of the Accused No. 1 and further, it was picked up by Accused No. 4 and he kept the weapon in his waist and all of the accused persons fled from the crime spot on their motor bikes on which they have kidnapped the victim and committed the offence.



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

**IN THE COURT OF MS. C MANJU KUJUR, MM,  
DWARKA, NEW DELHI.**

**FIR No. 311/2022 Dated 02/02/2022**

**U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA**

**(ii) POSCO ACT, 2012 - 6 & 8**

**(iii) The Arms Act, 1959 - 25 & 27**

**(iv) J.J. Act, 2000 - 15 & 18**

**PS. Mohan Garden**

### **STATEMENT OF PROSECUTRIX U/S 164 CR. PC**

An application for recording statement of Prosecutrix namely Kumari Manisha D/o Sh. Kamal R/o H. No. 11 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059 has been marked to me by the Ld. CMM, Dwarka, New Delhi. I proceed to dispose of the same.

Prosecutrix Kumari Manisha has been produced before me by the IO/WSI Sangeeta. Prosecutrix is identified by the IO/WSI Sangeeta.

### **Statement of IO/WSI Sangeeta**

I identify the prosecutrix Kumari Manisha D/o Sh. Kamal R/o H. No. 11 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059 aged about 15 years.

RO & AC

Ms. C MANJU KUJUR,  
MM, Dwarka

10.02.2022



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

**FIR No.** 311/2022 **Dated** 02/02/2022

**U/S** (i) **IPC, 1860** - 34, 120 B, 361, 363 & 376 DA

(ii) **POSCO ACT, 2012** – 6 & 8

(iii) **The Arms Act, 1959** – 25 & 27

(iv) **J.J. Act, 2000** - 15 & 18

**PS.** Mohan Garden

After identify the prosecutrix, IO has been asked to leave the chamber. IO has duly complied. Now there is no one else in the chamber except myself and the prosecutrix.

Before recording statement U/s 164 Cr.P.C and in order to satisfy myself that the victim is able to understand the questions put to her and is making her statement voluntarily, I have asked her the following questions:

Q. What is your name?

A. Manisha

Q. What is your father's name?

A. Kamal

Q. What is your age?

A. 15 years.

Q. How educated are you?

A. 10<sup>th</sup> Class

Q. How many brothers and sisters do you have?

A. One brother

Q. Do you understand difference between truth and falsehood?

A. Yes

Q. Whether you are making this statement voluntarily?





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A. Yes

Q. Whether any pressure/ Coercion of any person has been put upon you to make this statement?

A. No.

Q. Whether you want to get your statement recorded?

A. Yes

After putting all these questions, I am of the opinion that witness is competent to get her statement recorded and no external pressure or coercion has been used against her to get her statement recorded.

**Statement of prosecutrix Kumari Manisha aged about 15 years D/o Sh. Kamal R/o H. No. 11 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059.**

### **Without Oath**

As what I remember one Rakesh Kumar stay near my house and forcefully took me to a vacant street. Where other three person were standing. All the four persons namely (i) RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (ii) ANUJ KUMAR (S/O) SH. PUNEET KUMAR (R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (iii) ANIL KUMAR (S/O) SH. AMAR KUMAR (R/O) H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059 (iv) AJAY KUMAR (S/O) SH. ARUN KUMAR (R/O) H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059, all are the resident of the same locality in which we reside, one of them namely RAKESH KUMAR (S/O) SH. SUNIL KUMAR (R/O) H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059.

Thereafter, Rakesh Kumar had pointed the gun on my forehead and thereupon all the four raped me.



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That, thereafter, Anuj Kumar holding the legs of mine and he tried to tear the clothes, Anil Kumar was holding the hands of mine and he was pressing the mouth of my, so that I cannot make noise and Ramesh Kumar and Ajay Kumar was in course of raping me.

When some of the resident came near me, I was crying in pain and bleeding from my private parts, when resident asked me what happened to you, I was not in a state to answer any question.

### **CERTIFICATE**

It is certified that above is true and correct account of the statement of victim. It is further certified that nothing has been altered/ subtracted or added in her statement.

Ms. C MANJU KUJUR,  
MM, Dwarka

Dated 10.02.2022

At this stage, IO has moved an application for copy of the statement. Same is allowed Ahlmad is directed to send the proceedings in a sealed envelope to the concerned court today itself.

Ms. C MANJU KUJUR,  
MM, Dwarka

Dated 10.02.2022



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### SANJAY GANDHI HOSPITAL MANGOL PURI, DELHI

#### MEDICO LEGAL INJURY REGISTER

**NAME:** Kumari Manisha **AGED** about 15 years **D/o** Sh. Kamal **SEX** Female

**RELIGION** Hindu **OCCUPATION** Student **R/o** H. No. 11 A, Zaildar Enclave, Mohan Garden, Uttam Nagar, New Delhi- 110059

**Date of Examination:** 02.02.2022

**MLC No 153 dated 02-02-2022**

Consent	Particulars of Injuries
I give my consent to do sampling and testing on my risk.	<p>According to the victim, on 02-02-2022 around 08:00 am, she was going to school Kamal Model School, four persons kidnapped her on the gunpoint on two motorbikes and took her to a vacant plot covered with dense bushes which is in her locality and sexually assaulted her.</p> <p>When some of the resident came near her, she was crying in pain and bleeding from her private parts, when resident asked her what happened to her, at that time she was not in a state to answer any question.</p> <p>No history of physical assault. UPT negative. Left breast- 2 Abrasion of size 3 cm that on upper outer quad of breast. Right breast- Abrasion of size 2 cm that on lower quad of breast. No bite marks. L/E - Hymen torn. BP 100/70. P/A- soft, non-tender. All samples taken, sealed and handed over to police.</p>

Signature

Dr. Hemlata,

Senior gynecologist



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### **SEIZURE MEMO OF DESI KATTA FROM AJAY KUMAR**

**FIR No.** 311/2022 **Dated** 02/02/2022

**U/S (i) IPC, 1860** - 34, 120 B, 361, 363 & 376DA

(ii) **POSCO ACT, 2012** – 6 & 8

(iii) **The Arms Act, 1959** – 25 & 27

(iv) **J.J. Act, 2000** - 15 & 18

**PS.** Mohan Garden

A black color .315 KATTA containing 5 bullets. This is .315 bore country made pistol and 5 live cartridge recovered. Its handle in a wooden made design on it is seized and kept in white cloth pullanda with the seal of RP bearing star mark of RP. Found in possession of Ajay Kumar (A-4) are enclosed with this seizure memo. The said seizure memo is signed by all the witnesses voluntarily.

Witnesses:-

1. Hemant Kumar (Independent Witness)
2. Kundan Kumar (Independent Witness)
3. HC Gopal Kumar

(Signature of IO)

Date:- 17.02.2022

**Desi Katta (Country made pistol)**



**Fingerprint of Accused No.4 Ajay Kumar**





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### Ballistic Report

The exhibit marked "F1" is firearm as defined in Arms Act, 1959. It is a Country made pistol, capable of chambering and firing standard 8mm/.315 ammunition. Five 8mm cartridges received for testing were chambered and successfully test fired through exhibit 8mm/.315 bore country made pistol marked "F1" in the laboratory. Hence, it is opined that exhibit 8mm/.315 bore country made pistol marked "F1" is in normal working over in the laboratory. Recovered cartridge cases were marked as **TC1 to TC5** and the sample bullets were marked as **TB1 to TB3** and they were used for comparison and examination purposes. The physical and microscopic examination of exhibits **marked EC1** shows that it is an empty cartridge case of standard 8mm caliber and it is part of ammunition as defined in Arms Act, 1959. The individual characteristic marks present on exhibit 8mm empty cartridge case marked **EC1** were compared with test cartridge case marked as TC1 to TC5 fired through exhibit 8 mm/.315 bore country made pistol marked **F1** under a comparison microscope Model Leica DMC. After thorough examination and comparison, firing pin and breech face marks present on exhibit empty cartridge case marked EC1 were SIMILAR with firing pin and breech face marks present on test cartridge cases marked TC1 to TC5. Hence, it is opined that exhibit 8mm empty cartridge case marked **EC1** has been fired through the exhibit 8mm/.315 bore country made pistol marked **F1**.

The physical and microscopic examination of exhibit marked **EC1** shows that it is a bullet of standard 8mm caliber and it is part of ammunition as defined in arms act, 1959. We also received a sample of Accused No.4 fingerprints from his right hand which we matched with the finger prints present on the katta provided to us. On matching the two together we found that they match with each other by 97.68%.



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### Forensic Science Laboratory

Govt. of NCT of Delhi  
Sector 14, Rohini, Delhi-85

To,  
The Station House Officer,  
PS:  
Delhi

Your letter no. 2617 dated 28.03.2022 regarding three sealed parcels in connection with case **FIR No. 311/2022 Dated 02/02/2022 U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18** was duly received in this office on 28.04.2022 through Biology Division.

#### 1. Description of Parcel (s)

Sealed yellow envelope: 2

Total: 2

Three sealed parcels, seals were intact and tallied with the specimen seal as per forwarding letter (FSL FORM)

#### 2. Description of articles contained in the parcel (s)/ exhibit (s)

Parcel No.	Number of seals	Seal Impression	Description of Exhibits contained in parcels
1	3	FSL MCh Delhi	One sealed yellow envelope contained one bullet marked as exhibit <b>EC1</b> in the laboratory.
2	5	FSL MCh Delhi	One sealed yellow envelope contained one country made pistol marked as exhibit F1 and five cartridges case marked as exhibit <b>TC1-TC5</b> in the laboratory.



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

Note: Received three 8mm cartridge for test firing in unsealed condition as further material, No. SFSL DLH/5/5BAL/2/22.

### 3. Results of Examination/ Opinion

The exhibit marked F1 is a firearm as defined in Arms Act, 1959. It is a country made pistol, capable of chambering and firing standard 8mm/.315 ammunition.

Three 8 mm cartridges received for test firing were chambered and successfully test fired through exhibit 8mm/.315 bore country made pistol marked F1 in the laboratory. Hence, it is opined that exhibit 8mm/.315 bore country made pistol marked F1 is in normal working order in the laboratory. Recovered cartridge cases were marked as TC1 to TC5 and the sample bullets were marked as TB1 to TB3 and they were used for comparison and examination purposes.

The physical and microscopic examination of exhibit marked **EC1** shows that it is an empty cartridge case of standard 8mm caliber and it is part of ammunition as defined in Arms Act, 1959.

The individual characteristic marks present on exhibit 8mm empty cartridge case marked EC1 were compared with test cartridge case marked as TC1 to TC5 fired through exhibit 8 mm/.315 bore country made pistol marked F1 under a comparison microscope Model Leica DMC. After thorough examination and comparison, firing pin and breech face marks present on exhibit empty cartridge case marked EC1 were SIMILAR with firing pin and breech face marks present on test cartridge cases marked TC1 to TC5. Hence, it is opined that exhibit 8mm empty cartridge case marked EC1 has been fired through the exhibit 8mm/.315 bore country made pistol marked F1.





## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

The physical and microscopic examination of exhibit marked EC1 shows that it is a bullet of standard 8mm caliber and it is part of ammunition as defined in arms act, 1959.

Note: Case Exhibits/ Remnants of exhibits sent to this laboratory for examination have been sealed with the seal of FSL R:E Delhi.

Examined By

Name

Signature



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### INNER CASE DIARY

FIR No. 311/2022 Dt. 02/02/2022 U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18, PS. Mohan Garden

### Arrest Memo

As per the directions of Hon'ble Supreme Court of India

Name with alias and parentage of arrestee	RAKESH KUMAR (S/O) SH. SUNIL KUMAR
Permanent address of arrestee	H. No. 38, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059
Present address of arrestee	Same as permanent address
FIR No.	311/2022
Place of arrest	Flat No. 213, New Rastriya CGHS, Sector- 17, Dwarka, New Delhi
Date and Time of arrest	15.02.2022 around 12:30 PM
Name, address & Tel No. whomsoever	
Name, Rank and No. of the officer who making the arrest	SI. SANGEETA, No-D-1420, PIS NO 28870038

Witnesses:

Signature of Arrestee

Signature of IO



## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### INNER CASE DIARY

FIR No. 311/2022 Dt. 02/02/2022 U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18, PS. Mohan Garden

### Arrest Memo

As per the directions of Hon'ble Supreme Court of India

Name with alias and parentage of arrestee	ANUJ KUMAR (S/O) SH. PUNEET KUMAR
Permanent address of arrestee	R/O) H. No. 22, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059
Present address of arrestee	Same as permanent address
FIR No.	311/2022
Place of arrest	House No. 79 A, Vikaspuri, Uttam Nagar, New Delhi
Date and Time of arrest	17.02.2022 around 10:30 am.
Name, address & Tel No. whomsoever	
Name, Rank and No. of the officer who making the arrest	SI. SANGEETA, No-D-1420, PIS NO 28870038

Witnesses:

Hemant Kumar

and Kundan Kumar

Signature of Arrestee

Signature of IO



## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### INNER CASE DIARY

FIR No. 311/2022 Dt. 02/02/2022 U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18, PS. Mohan Garden

### Arrest Memo

As per the directions of Hon'ble Supreme Court of India

Name with alias and parentage of arrestee	ANIL KUMAR (S/O) SH. AMAR KUMAR
Permanent address of arrestee	H. No. 64, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059
Present address of arrestee	Same as permanent address
FIR No.	311/2022
Place of arrest	House No. 79 A, Vikaspuri, Uttam Nagar, New Delhi.
Date and Time of arrest	17.02.2022 around 10:30 am.
Name, address & Tel No. whomsoever	
Name, Rank and No. of the officer who making the arrest	SI. SANGEETA, No-D-1420, PIS NO 28870038

Witnesses:

Hemant Kumar

and Kundan Kumar

Signature of Arrestee

Signature of IO



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## ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT

### INNER CASE DIARY

FIR No. 311/2022 Dt. 02/02/2022 U/S (i) IPC, 1860 - 34, 120 B, 361, 363 & 376DA (ii) POSCO ACT, 2012 - 6 & 8 (iii) The Arms Act, 1959 - 25 & 27 (iv) J.J. Act, 2000 - 15 & 18, PS. Mohan Garden

### Arrest Memo

As per the directions of Hon'ble Supreme Court of India

Name with alias and parentage of arrestee	AJAY KUMAR (S/O) SH. ARUN KUMAR
Permanent address of arrestee	H. No. 45, ZAILDAR ENCLAVE, MOHAN GARDEN, UTTAM NAGAR, NEW DELHI- 110059
Present address of arrestee	Same as permanent address
FIR No.	311/2022
Place of arrest	House No. 79 A, Vikaspuri, Uttam Nagar, New Delhi.
Date and Time of arrest	17.02.2022 around 10:30 am.
Name, address & Tel No. whomsoever	
Name, Rank and No. of the officer who making the arrest	SI. SANGEETA, No-D-1420, PIS NO 28870038

Witnesses:

Hemant Kumar and

Kundan Kumar

Signature of Arrestee

Signature of IO