

Criminal Trial – Framing of Charge – By mere mentioning that the charge sheet as also the documents have been gone through, would not suffice in terms of the law laid down, as referred to above, while taking cognizance by the Magistrate, as the same does not reflect due application of mind – Order framing of charge by the Magistrate ought to conform

.....

.with the law laid down in *Anil Kumar v. M.K. Aiyappa* (2013)10 SCC 705, and *Maksud Saiyed v. State of Gujarat and others* (2008) 5 SCC 668, wherein it had been observed that “the application of mind by the Magistrate should be reflected in the order. The mere statement that he has gone through the complaint, documents and heard the complainant, as such, as reflected in the order, will not be sufficient.”

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