

**IN THE COURT OF SH. GAURAV RAO,
SPECIAL JUDGE (CBI) (PC ACT)-01,
ROUSE AVENUE DISTRICT COURTS, NEW DELHI.**

**CC No. 105/2019
RC No. 16(A)/2017
CBI v. Shubham Yadav
CNR No. DLCT11-000472-2019
Under Section 409/420/468/471/201 IPC &
section 13(2) r/w 13(1)(c)/13(2)
r/w 13(1)(d) of the PC Act, 1988**

Central Bureau of Investigation

.....Prosecution

Versus

Shubham Yadav,
S/o Sh. Bharat Singh Yadav,
R/o House No. A-2/466, 1st Floor,
Sector-8, Rohini, Delhi.

.....Accused

04.6.2026

Present : Ms. Jyoti Solanki & Ms. Bindu, Ld. PPs for the CBI.

Convict Shubham Yadav produced from JC.

Sh. Hitender Kapur, Ld. Counsel for the accused
appeared through VC. Sh. Yatin Dhawan, Ld. Counsel
for the accused.

ORDER ON SENTENCE

1. Accused/convict Shubham Yadav was convicted vide

judgment dated 03.6.2026 for offence punishable under section 420, 468, 471, 409, 201 IPC as well as 13(1)(c) r/w section 13(2) of the Prevention of Corruption Act 1988.

2. Convict and Ld. Counsel for the convict as well as Ld. PP for the CBI have been heard on the question of sentence.

3. It is submitted by Ld. Counsel for convict that the he is aged about 32 years and has clean antecedents. It is submitted that he has two small children aged about 1 & 6 years as well as old aged parents to look after. It is further submitted that though his wife is working, however, her income is not sufficient to meet the families needs, necessities. It is further submitted that the prolonged trial has not only financially drained him but has also stressed him mentally. It is prayed that considering these circumstances, the accused may be dealt with leniently.

4. On the other hand, it is submitted by the Ld. PP for the CBI that keeping in view the gravity of offence committed by the convict, no leniency should be shown towards the convict. Ld. PP for the CBI has prayed for maximum punishment for the convict.

5. While sentencing, determining the quantum of sentence the court must ensure that the sentence is commensurate with the nature & gravity of the offence committed and also consider the larger interest of the society. An act of balancing is needed between the interest of the accused/convict and the concerns of the society.

The principle governing the imposition of punishment will depend upon the facts & circumstances of each case, however, the sentence should be appropriate, adequate, just, proportionate and commensurate with the nature and gravity of the crime and the manner in which the crime is committed. The gravity of the crime, motive for the crime, nature of the crime and all other attending circumstances have to be borne in mind while imposing the sentence. The court cannot afford to be casual while imposing the sentence, inasmuch as both the crime and the criminal are equally important in the sentencing process. The courts must see that public does not lose confidence in the judicial system. Imposing inadequate sentences will do more harm to the justice system and the society at large, which might lose confidence in the judicial system in case inadequate sentence is awarded.

6. In B. G. Goswami Vs. Delhi Administration (1974) 3 SCC 85 while dealing with the question of sentence, Hon'ble Supreme Court observed in paragraph 10 as under:

"..... The main purpose of the sentence broadly stated is that the accused must realise that he has committed an act which is not only harmful to the society of which he forms an integral part but is also harmful to his own future, both as an individual and as a member of the society. Punishment is designed to protect society by deterring potential offenders as also by preventing the guilty party from repeating the offence; it is also designed to reform the offender and reclaim him as a law abiding citizen for the good of the society as a whole. Reformatory, deterrent and punitive aspects of punishment thus play their due part in judicial thinking while determining this question. In modern civilized societies,

however, reformatory aspect is being given somewhat greater importance. Too lenient as well as too harsh sentence both lose their efficaciousness. One does not deter and the other may frustrate, thereby making the offender a hardened criminal....."

7. Convict Shubham Yadav was working as a Cashier at Bank of Baroda, Azadpur Branch, Delhi and while working so, he committed forgery of bank vouchers to reflect deposit of SBNs though the bank customers/account holders had deposited legal tenders with him. The purpose of committing the forgery was to replace the legal tenders with the SBNs and then to retain those legal tenders or handover the same to his known tos, while the SBNs were deposited with Bank of Baroda. He not only broke the trust of the bank but also of the customers/account holders. This act was repeated by the convict for around 8 transactions. Though he has large family to look after, however, the same is not an enough mitigating circumstances considering the gravity of the offence.

8. Considering the overall facts & circumstances of the case, in my considered opinion, interest of justice would be met if convict Shubham Yadav is sentenced to simple imprisonment for 1 year along with fine of Rs. 5,000/- for each offences punishable u/s 420, 468, 471, 409 & 201 IPC. The convict is further sentenced to simple imprisonment for 4 years with fine of Rs. 5,000/- for offences punishable under section 13(1)(c) r/w section 13(2) of the PC Act, 1988. In default of payment of fine, convict shall under go

simple imprisonment for six months.

9. All sentences to run concurrently. In default of payment of fine, convict shall under go simple imprisonment for six months. As the convict did not remain in custody, as the charge sheet was filed without arrest no question arises of giving benefit of section 428 Cr.P.C. to him. I order accordingly.

10. Fine amount not paid.

11. Copy of judgment has already been supplied to the convict, free of cost and copy of order on sentence be also supplied accordingly against receiving.

12. File be consigned to record room after necessary compliance.

**Announced in the open court
on 04th June, 2026**

**(GAURAV RAO)
Special Judge CBI (PC Act)-01
Rouse Avenue Court Complex,
New Delhi**