

SC 220/2024  
STATE Vs. IRSHAD ALI @ SHAKIR  
FIR No. 271/2024  
(Seelam Pur)

25.05.2026

Present: Sh. Abhishek Pandey, Ld. Addl. PP for the State.  
Convict Irshad Ali @ Shakir in produced from JC.  
Ms. Sakshi Yadav, Ld. LADC for convict.

**ORDER ON SENTENCE**

1. Arguments heard on sentence.
2. It is submitted by Ld. LADC for convict that a reformatory approach may be adopted toward convict who has not been convicted in any other case. He is 22 years of age at present, 8<sup>th</sup> class pass and belongs to economic weaker strata of society, he is a daily wager, he used to earn Rs. 400/500 per day. His mother is dependent on him, he has an elder brother who is residing separately and his sister is married. Further, his conduct throughout trial was good.
3. It is further argued that since minimum punishment is not prescribed u/s 307 IPC hence minimum possible punishment is requested. It is further submitted that this incident was not preplanned and happened at the spur of the moment.
4. On the other hand, it is submitted by Ld. Addl. PP that it has already been observed by this Court that convict knew that his act was likely to cause death. Since hurt was caused and it is a

case of multiple stabbing, maximum punishment is requested. And it is submitted that it falls u/s 307 (II) IPC. Further, he was injured on a vital body part i.e. abdomen and death may have ensued. Further, nature of injury is grievous.

5. I have heard both the sides and perused the record.

6. Report received from Jail Superintendent, Mandoli Jail according to which the judicial custody period spent by the convict is 1 year, 10 months and 6 days on 07.05.2026. Further, it is mentioned in the report that his conduct was satisfactory during in incarceration in the jail.

7. Also, previous involvement report of Irshad Ali @ Sakir is received according to which there are two more case against him but he is not convicted in any other case.

8. Report of Probation Officer received wherein it is mentioned that he belongs to economic weaker strata of society. His other two brother are also lying in jail and are falsely implicated. His conduct was stated to be good. At present, his mother and one brother are the earning members of family. Further, his wife left him three years back. He was residing in a *Jhuggi* in a congested and unhygienic place. These are mitigating factors.

9. Considering the overall facts of the case including aggravating and mitigating factors, this Court is of the opinion that ends of justice would be met by awarding him **rigorous imprisonment for 3 years and fine of Rs. 5000/- for offence u/s 307 (II) IPC. In lieu of payment of fine, simple imprisonment for 5**

**days. Fine not deposited.**

10. Benefit of section 428 Cr.P.C./468 BNSS is to be given to the convict.
11. Copy of this order be given to the convict free of cost.
12. Copy of this order be also sent to Jail Superintendent.
13. **File be consigned to record room after due compliance.**

(Twinkle Wadhwa)  
ASJ-02(NE)/ KKD/Delhi  
25.05.2026/nk