

**IN THE COURT OF SHRI PUNEET PAHWA
SPECIAL JUDGE (NDPS)/ADDITIONAL SESSIONS
JUDGE/NORTH EAST DISTRICT KARKARDOOMA COURTS
DELHI**

**CNR No. DLNE01-003518-2019
SESSIONS CASE NO. 331/2019**

STATE	Versus	(1). WASEEM S/o. Sh. Riyazuddin R/o. B-162, Jhuggi, Seelampur, Delhi-110053.
		(2). IMRAN @ MUNNA S/o. Sh. Israr R/o. E-16, K-506, New Seelampur, Delhi-110053.

FIR No.	:	252/2013
PS.	:	New Usmanpur
U/s.	:	392/394/397/411/34 IPC

ORDER ON SENTENCE

1. Vide this order, I shall decide the sentence to be awarded against convicts namely, Waseem and Imran @ Munna in this case.

2. Briefly stated that vide judgment dated 20.07.2026, both the accused persons namely, Waseem and Imran @ Munna were convicted for committing the offences punishable under sections 392/34 & 394/34 of IPC. Accused Waseem was also convicted for committing the offence punishable under section 397 of IPC.

3. I have heard arguments on the point of sentence on behalf of the convicts, and also on behalf of the State.

4. Ld. Counsel for the convict Waseem has submitted that convict Waseem is aged about 34 years, belongs to a poor family, working as daily wager and he is sole bread

earner of his family, consisting of his wife and two minor children. Ld. Counsel has also submitted that there is no other case against the convict, except the present one and prayed that lighter sentence may be passed against the convict.

5. Ld. Counsel for the convict Imran @ Munna has submitted that convict Imran @ Munna is aged about 31 years, belongs to a poor family, working as daily wager and he is sole bread earner of his family. Ld. Counsel has also submitted that there is no other case against the convict, except the present one and prayed that lighter sentence may be passed against the convict.

6. On the other hand, Ld. Addl. PP for the State has submitted that convicts may be sentenced rigorously as per law, as prescribed under Sec. 392/34; 394/34 & 397 IPC and no lenient view should be taken, while awarding the sentence to the convicts.

7. This Court also called the report regarding Nominal Rolls of the convicts from the concerned Jail Superintendent.

8. As per the Nominal Roll of the convict Waseem received from the Dy. Superintendent, Central Jail No. 13, Mandoli, Delhi, convict Waseem remained in judicial custody for 04 months and 01 day in the present case. His overall conduct was satisfactory during his lodging in the jail.

9. As per the Nominal Roll of the convict Imran @ Munna received from the Dy. Superintendent, Central Jail No. 11, Mandoli, Delhi, convict Imran @ Munna remained in judicial custody for 03 years, 11 months and 08 days in the present case. His overall conduct was satisfactory during his lodging in the jail.

10. I have heard the Ld. Counsels for the parties and perused the record.

11. Both the convicts were charged in the present case for the offences punishable U/s. 392/34 IPC & 394/34 IPC, and accused Imran @ Munna was also charged u/s. 397 IPC. Vide judgment dated 20.07.2026, both these two accused were convicted for the charged offences.

12. As per the submissions of Ld. Counsels, both these convicts belong to poor families and are daily wage earners.

13. Keeping in view the gravity of offences alleged to have been committed by both the convicts, and the fact that since, the offence u/s. 394 IPC is more serious offence then the offence u/s. 392 IPC, as, both the offences are of the same category, therefore, convict Imran @ Munna is liable to be sentenced for the offence punishable u/s. 394 IPC only. No separate sentence is being awarded against convict Imran @ Munna u/s. 392 IPC. Since, the offence u/s. 397 IPC is more serious offence then the offences u/s. 392 & 394 IPC, as, all these offences are of the same category, therefore, convict Waseem is liable to be sentenced for the offence punishable u/s. 397 IPC only. No separate sentences are being awarded against convict Waseem u/s. 392 & 394 IPC.

14. Considering overall facts and circumstances of the case, the fact that both the convicts are of young age and they have already faced trial in this case for almost 7 years, convict Imran @ Munna is sentenced to imprisonment already undergone in the present case and to pay fine of Rs.10,000/- for committing the offence punishable under Section 394/34 IPC. In default of payment of fine, convict Imran @ Munna shall

undergo Simple Imprisonment for two months.

15. Convict Waseem is sentenced to undergo Rigorous Imprisonment for 7 years and to pay fine of Rs.10,000/- for committing the offence punishable under Section 397 IPC. In default of payment of fine, convict Waseem shall undergo Simple Imprisonment for two months.

16. Benefit of Sec. 428 of CrPC shall be granted to both the convicts and the period of imprisonment already undergone in the present case, shall be set off against the sentence awarded above.

17. Fine not paid by the convicts. Convicts sought time to deposit the fine amount. Convicts are directed to deposit the fine amount in the court within one month.

18. Since, notice to the complainant has already been received back unserved and the fact that the mobile phone of the complainant was already recovered, therefore, no monetary loss had occurred to the complainant as such. Therefore, this court does not deem it fit to award any compensation in the present case.

19. Ordered accordingly.

20. Copy of this order be given dasti.

21. File be consigned to Record Room, after due compliance.

**Announced in the open court
on 31st day of July, 2026**

**(PUNEET PAHWA)
Special Judge (NDPS)/Addl. Sessions Judge/
North East District/Karkardooma Courts/Delhi**