

CA No. 16/2016
Yatin Sharma v. State
CNR-DLST010002622026

14.01.2026

Fresh criminal appeal received by way of assignment. It be checked and registered.

Present: Ms. Rita Satija, Mr. Amit Bhanot and Savita Prabhakar
Advocates for appellant.

Mr. Santosh Kumar, learned Addl. Public Prosecutor for
the State.

1) This is an appeal against judgment dated 05.10.2024 and sentencing order dated 13.12.2025 passed by the court of Judicial Magistrate First Class-06, South District, Saket Court, New Delhi in State v. Yatin Sharma CR. Case No. 2031531/2016 in FIR No. 298/2013 registered at PS Hauz Khas under Section 279/337/304A of IPC, 1860.

2) The trial court has found appellant/accused guilty on the count that he had caused the accident of deceased Zakir Malik and simple injuries to injured Tarun by driving the offending vehicle Swift car white colour bearing No. DL5CJ3090 in a negligent manner and had thereby also caused death of Zakir Malik.

3) The trial court has awarded the following sentence to appellant:-

a) A simple imprisonment of fifteen days along with a fine of Rs. 1,000/- for the offence under Section 279 IPC. In default of payment of fine, simple imprisonment for one day.

b) A simple imprisonment of one month along with a fine of Rs. 500/- for the offence under Section 337 IPC. In default of payment of fine, simple imprisonment for one week.

c) A simple imprisonment of three months along with a fine of Rs. 2,000/- for the offence under Section 304-A IPC. In default of payment of fine, simple imprisonment for ten days.

4) An application under Section 389 CrPC seeking suspension of sentence is filed on behalf of accused/appellant.

5) Heard.

6) The learned Additional Public Prosecutor (APP) for the State accepts notice of the appeal.

7) In view of the facts and circumstances and without commenting on the merits of the appeal, the impugned judgment and sentencing order are suspended. subject to the following conditions:-

a) The appellant is directed to deposit sum of Rs. 1 lakh by next date of hearing *in lieu* of compensation imposed by the Trial Court by way of fixed deposit receipt (FDR) with the local bank within the South District, Delhi on or before next date of hearing. Let the FDR be created in the favour of ***Court of Additional Sessions Judge (FTC)–01, South District, Saket Court, New Delhi*** and be deposited in this Court.

b) Let bail bond of Rs. 20,000/- alongwith one surety of like amount by way of fixed deposit receipt (FDR) with the local bank within the South District, Delhi be furnished within seven days from today. Let the FDR be created in the favour of ***Court of Additional Sessions Judge (FTC)–01, South District, Saket Court, New Delhi*** and be deposited in this Court.

8) In view of the above observations and directions, judgment dated 05.10.2024 and sentencing order dated 13.12.2025 passed by the Trial Court are suspended, subject to compliance of directions passed by this Court in the preceding paragraph(s).

9) In case of non compliance of the above directions and failure to deposit the aforesaid amount alongwith bail bond and surety bond by the appellant, law shall have its own course.

10) Let *robkar* be issued and TCR be summoned for next date of hearing. Let a copy of this order be transmitted to the Trial Court. Let a copy of this order also be given *dasti* to the appellant through counsel.

11) To come up for arguments on **24.02.2026**.

At 1457Hrs.

12) At this stage, appellant Yatin Sharma has appeared. He is apprised about next date of hearing.

(Hargurvarinder Singh Jaggi)
ASJ (FTC)–01, South District
Saket, New Delhi/14.01.2026

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