

SC 269/2024
STATE VS. GAURAV
FIR NO. 53/2024
PS MADHU VIHAR

17.07.2026

Present : Sh. Vineet Kumar, Addl. PP for the State.
Accused Gaurav produced in custody by HC Arun Kumar, PS Madhu Vihar.
Ms. Muskan Gupta, counsel for the accused.

Fresh vakalatnama filed on behalf of the accused.

In pursuance to the nonailable warrant issued by the Court, the accused Gaurav has been produced after arrest by HC Arun Kumar. He is taken into custody.

Vide separate judgment announced in the open Court today, accused Gaurav has been convicted for the offence punishable under Section 323/34 IPC and acquitted of the charge under Section 506 IPC.

Copy of the judgment has been supplied to the convict free of cost.

Counsel for the convict has submitted that she has gone through the judgment and has requested that she be heard on the aspect of sentence today itself.

Arguments on the point of sentence heard. Record perused.

Addl. PP for the State has submitted that since the convict had inflicted injury on the vital part i.e. head of the complainant/victim, he is not entitled to any leniency and deserves to be awarded maximum sentence prescribed by law.

On the other hand, the counsel for the convict has

prayed that a lenient view may be taken against the convict. She has submitted that the convict, who is aged about 28 years, works as a vegetable vendor and is the sole bread earner of his family. He has urged that the convict has faced trial for more than two years and after the registration of the FIR, he had remained in custody for about 5 ½ months.

I have given thoughtful consideration to the arguments advanced by both the sides and the facts and circumstances of the case in totality. It is seen from the record that the convict had remained in custody in the present case for 5 ½ months. In the opinion of the Court, the said period is sufficient punishment for the offence punishable under Section 323/34 IPC. Accordingly, the convict is sentenced to imprisonment for the period already undergone by him for the said offence and is set at liberty. His bail bond is cancelled and the surety is discharged. The documents of the surety retained on record, if any, be released.

Copy of this order be supplied to both the sides free of cost.

File be consigned to the record room.

(SANJAY GARG-II)
Principal District & Sessions Judge,
Shahdara, KKD Courts, Delhi/17.07.2026