

**IN THE COURT OF AJAY GARG
SPECIAL JUDGE-NDPS/ASJ (SOUTH),
SAKET COURTS, NEW DELHI**

**Crl. Appeal No. 23/25
CNR No. DLST01-001046-2025**

1. EKTA BANSAL

W/o Sh. Yogesh Bansal
R/o 828/S-4, Shalimar Garden,
Extension -1, Sahibabad,
Ghaziabad, Uttar Pradesh.

2. YOGESH BANSAL

S/o Sh. JP Bansal,
R/o 828/S-4, Shalimar Garden,
Extension -1, Sahibabad,
Ghaziabad, Uttar Pradesh.

.....Appellants

Vs.

COURT OF CMM (SOUTH)

.....Respondent

Date of assignment	:	20.01.2025
Date of Arguments	:	07.07.2026
Date of decision	:	17.07.2026

JUDGMENT

1.0 The present appeal arises out of judgment dated 06.09.2024 and order on sentence dated 24.12.2024 passed by the Ld.ACMM (South) in CT Case No. 5817/2018 titled as “*Court of CMM (South) Vs. Ekta Bansal & Anr.*”, whereby the appellants herein were convicted for the offences punishable u/s 193/200/120B IPC and were sentenced to Simple imprisonment for a period of 03 months each and to pay fine of Rs.5000/- each u/s 193 IPC and in default to undergo SI for a period of 15 days. Further, the appellants were sentenced to undergo Simple

imprisonment for a period of 03 months each and to pay fine of Rs.5000/- each u/s 200 IPC and in default to undergo simple imprisonment for 15 days. They were also sentenced to pay fine of Rs.5000/- each u/s 120B IPC and in default to undergo simple imprisonment for a period of 15 days.

1.0 Brief facts of the case relevant and necessary for adjudication of the present appeal are that a complaint u/S 340 Cr.PC was filed by one Ms. Poonam Agarwal against the appellants herein for filing false documents during the proceedings in FIR Nos. 55/10 and 187/10 in the court of Ld. CMM and thereby attracting offences u/s 193,199,200,467,47 IPC r/w 120B IPC. Charges in the matter were framed on 10.10.2018 and prosecution examined five witnesses, who supported the case of the prosecution. After the statement of the appellants u/s 313 Cr.PC were recorded, appellant No.1 Ekta examined herself as DW1 in her defence. The Court after hearing both the sides, found the appellants guilty vide the impugned judgment dated 06.09.2024 and thereafter, vide order on sentence dated 24.12.2024, sentenced the appellants sentenced to Simple imprisonment for a period of 03 months each and to pay fine of Rs.5000/- each u/s 193 IPC and in default to undergo SI for a period of 15 days. Further, the appellants were sentenced to undergo Simple imprisonment for a period of 03 months each and to pay fine of Rs.5000/- each u/s 200 IPC and in default to undergo simple imprisonment for 15 days. They were also sentenced to pay fine of Rs.5000/- each u/s 120B IPC and in default to undergo simple imprisonment for a period of 15 days. Aggrieved by the same, the appellant approached this Court with the present appeal.

2.0 During the course of arguments, Ld. Counsel for the appellant made a statement at bar that he is not pressing the appeal against the judgment of conviction dated 06.09.2024 and is only confining his appeal against the order on sentence dated 24.12.2024 awarded by the Ld. Trial Court.

3.0 Arguments heard. Record perused.

4.0 The order on sentence was passed on 24.12.2024 by the Ld. Trial Court. Ld. Counsel for the appellants pray for leniency, since it was a bonafide mistake. It has been submitted that the appellants are first time offenders. It has further been submitted that the appellant Yogesh Bansal has medical issues and has undergone a heart surgery. It is further submitted that the appellants have a daughter of marriagable age. It is therefore prayed that the appellants be released on probation.

4.1 Perusal of the Trial Court Record would show that though an offence was committed by the appellants herein, but no wrongful gain or loss was caused to any person (s) and that's why, acquitted in major charges by the Ld. Trial Court. Further, the appellant No.2 has also placed on record medical documents relating to his ill health. Having regard to the circumstances of the case including the nature of offence and the character of the offender, the court deems it expedient that instead of sentencing the appellants at once, they be released on probation of good conduct for a period of one year. Hence, **the appellants Ekta Bansal and Yogesh Bansal are released on probation of good conduct for a period of one year subject to furnishing probation bond in the sum of Rs. 50,000/- each.**

4.2 The appellants shall keep peace and be of good behaviour and shall not commit any offence during the probation

period. The appellants shall also not change their place of abode during the said period. In case the appellants violate the terms and conditions of the probation, they shall be liable to appear before the court to receive sentence. On conclusion of the probation period of one year, Probation Officer shall furnish his report regarding conduct, character and antecedents of the appellants.

Probation bond furnished. The same is considered and accepted. The same shall remain in force for a period of one year.

5.0 Copy of the judgment be given to the appellant.

Copy of the judgment be also sent to the Probation Officer for information and compliance.

Copy of the judgment alongwith TCR be sent to the Ld. Trial Court.

At request, copy of the judgment be also given to the complainant.

6.0 Appeal file be consigned to Record Room

7.0 Ahlmad shall put up the file on completion of probation period upon receipt of the report of Probation Officer.

**Announced & dictated in
open Court on 17.07.2026**

(Ajay Garg)
Special Judge-NDPS/ASJ (South)
Saket Courts, New Delhi