

IN THE COURT OF MS. POOJA TALWAR,
ADDITIONAL SESSIONS JUDGE (FTC)-01 WEST
TIS HAZARI COURT, DELHI

ORDER ON SENTENCE

CNR no.:DLWT010029232015
Sessions Case No. 57789/16
State Vs. Harvinder Singh @ Ashu
FIR No.931/14
Police Station: Khyala

17.07.2026

Present: Sh. B. S. Dagar, Ld. Public Prosecutor for the State.
Convict is present with counsel Sh. Jitender Kumar.
Complainant/injured is present.

Vide judgment dated 14.07.2026 convict **Harvinder Singh @ Ashu**, S/o Narender Singh, R/o B-45, Janta Colony Shivaji Vihar, New Delhi stands convicted for committing offence under Section 323 IPC.

I have heard the arguments on the point of sentence advanced by Ld. Additional PP for the state and Ld. counsel for the convict.

Ld. Public Prosecutor for the State submits that the convict in an inebriated state assaulted the complainant/injured with the iron pipe on his head and thereafter hit him on his knee and leg.. Ld. Public Prosecutor for the State further submits that considering the nature of offence, maximum punishment should be provided to the convict.

Per contra it is contended by Ld. counsel for convict that convict is around 50 years of age and he is physically unfit

to do any work. He has aged mother and two sisters .

There are highest chances of him reformation in case he is not severely dealt with. It is prayed that a lenient view may kindly be taken by the court and he be released on probation.

I have thoughtfully considered the arguments advanced by Ld. Addl. PP for State and the Ld. counsel for convict and have also considered the facts and circumstances of the case carefully.

Though the infringement of right of any citizen entails punishment, however it is to be kept in mind that the convict herein is not a previous offender and has a family. He has every chance to reform himself. At the time of sentencing both the perspective of victim as well as the convict are to be kept in mind.

The aggravating factor against the convict is that he committed offence on spur which resulted in injury on the person of the complainant.

The mitigating factor, however, is that the convict himself is a young man of 50 years and has a long life ahead. Moreover, he is physically challenged and has mother and two sisters. There is every likelihood of his reformation in case he is not provided the maximum punishment.

Considering the aggravating and mitigating factors as highlighted by the prosecution and defence, I am of the considered view that convict is not a habitual offender and has clean antecedents. Convict had no intention to cause severe harm to the complainant but being confronted by complainant while he was in inebriated state, the offence occurred. Hence he is entitled to benefit of being released on Probation of good conduct by

furnishing a bond in the sum of Rs.25,000/- with one surety of the like amount for a period of 6 months. In addition, in order to provide restorative and compensatory justice to victim, convict is directed to pay Rs.10,000/- as compensation to the complainant. The convict shall keep peace and display good behaviour during the said period.

Compensation amount of Rs.10,000/- in cash is handed over to the complainant today in the court.

Copy of order on sentence be supplied to the convict. A copy of this order be also sent to Jail Superintendent concerned for information and compliance.

(Pooja Talwar)
ASJ (FTC)-01, West, THC
Delhi/17.07.2026