

**IN THE COURT OF SH. VINOD KUMAR GAUTAM,
ADDITIONAL SESSIONS JUDGE (FTC-02), SOUTH-EAST
SAKET COURT COMPLEX, NEW DELHI**

CNR No. DLSE01-000215-2014

Session Case No.1264/2016

FIR No.388/2013

Police Station: Jaitpur

State

Versus

1) Vikram Sharma (CONVICTED)

S/o Sh. Ramesh Sharma

R/o H.No.10, B-Block,

Gali No.11, Near Vishnu Pradhan Mandir,

Manbhari Kunj Meethapur Extension,

New Delhi.

2) Satish Kumar (ACQUITTED)

S/o Sh. Ramesh Sharma

R/o H.No.10, B-Block,

Gali No.11, Near Vishnu Pradhan Mandir,

Manbhari Kunj Meethapur Extension,

New Delhi.

3) Sanjeev Kumar (DISCHARGED)

S/o Sh. Surender Kumar Tyagi

R/o Village Jharoda Panda,

PS Badgaon, Distt. Saharanpur,

Uttar Pradesh.

11.07.2026

ORDER ON SENTENCE

Present: Sh. Dheeraj Kumar, Sub. Addl. PP for the State.
Convict Vikram Sharma produced from JC.
Counsel Sh. Pratyush Prasanna appearing through VC
on behalf of the convict.

1) Vide judgment dated 08/07/2026, the convict **Vikram Sharma** has been convicted for the offences punishable under Sections 302, 307 and 323 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

2) I have heard the learned Substitute Additional Public Prosecutor for the State as well as learned Counsel for the convict on the question of sentence and have carefully perused the records of the case.

3) Learned Additional Public Prosecutor for the State submitted that the offences committed by the convict are grave and heinous in nature which was committed inside the residence of the deceased by using a firearm and thereafter attacked other members of the family with a knife. It was submitted that the offence resulted in the death of an innocent person and grievous firearm injuries to another

victim. It is prayed for awarding maximum punishment as prescribed under law.

4) Learned Defence Counsel submitted that the convict has no previous criminal conviction and he is the sole bread earner of his family. It is further submitted that the convict has remained in custody for more than 9 years for a substantial period of time. It is further submitted that the convict has a sister and other family members and he after his release on bail was working as an electrician. On these grounds, a prayer is made for taking a lenient view against the convict while awarding the sentence.

5) I have given my thoughtful consideration to the submissions made on behalf of the parties.

6) Sentencing is an integral component of the criminal justice process. The Court is required to balance the aggravating as well as mitigating circumstances while ensuring that the punishment awarded is proportionate to the gravity of the offence.

7) The aggravating circumstances in the present case are that the offence resulted in the loss of a human life. The offence was committed by use of a firearm. During the same transaction, another

victim sustained a grievous firearm injury. The convict thereafter assaulted other members of the family, thereby multiplying the violence.

8) The mitigating circumstances are that there is no material before this Court indicating any previous criminal conviction of the convict. The prosecution has not established that the case falls within the category of the “rarest of rare” cases warranting the extreme penalty of death.

9) The sentencing policy laid down by the Hon’ble Supreme Court requires that the death penalty be reserved only for the rarest of rare cases where the alternative option of life imprisonment is unquestionably foreclosed. Although, the present offence is undoubtedly grave, this Court does not find the existence of such exceptional circumstances as would justify imposition of the capital punishment. The ends of justice would therefore be adequately met by awarding imprisonment for life for the offence punishable under Section 302 IPC. Accordingly, the convict Vikram Sharma is sentenced as follows:

(i) For the offence punishable under Section 302 IPC, the convict is sentenced to Imprisonment for Life and to pay a fine of Rs.50,000/-.

In default of payment of fine, he shall undergo Simple Imprisonment for six months.

(ii) For the offence punishable under Section 307 IPC, the convict is sentenced to Rigorous Imprisonment for ten years and to pay a fine of Rs.25,000/-. In default of payment of fine, he shall undergo Simple Imprisonment for three months.

(iii) For the offence punishable under Section 323 IPC, the convict is sentenced to Simple Imprisonment for one year and to pay a fine of Rs.1,000/-. In default of payment of fine, he shall undergo Simple Imprisonment for 15 days.

(iv) For the offence punishable under Section 25 of the Arms Act, the convict is sentenced to Rigorous Imprisonment for three years and to pay a fine of Rs.10,000/-. In default of payment of fine, he shall undergo Simple Imprisonment for one month.

(v) For the offence punishable under Section 27 of the Arms Act, the convict is sentenced to Rigorous Imprisonment for five years and to pay a fine of Rs.20,000/-. In default of payment of fine, he shall undergo Simple Imprisonment for two months.

10) All the substantive sentences shall run concurrently. The convict shall be entitled to the benefit of Section 428 Cr.P.C. **(or the corresponding applicable provision under the BNSS, if applicable)** for the period already undergone during investigation, inquiry and trial. The fine, if realized, shall be dealt with in accordance with law.

11) The Court has considered the question of award of compensation to the legal heirs of the deceased and the injured victim(s) in terms of Sections 357 and 357A of the Code of Criminal Procedure, 1973. Having regard to the facts and circumstances of the case, it is evident from the material on record that the convict is a person of limited financial means and has no sufficient resources to pay any meaningful compensation. In these circumstances, this Court is not inclined to award compensation under Section 357(3) CrPC, as such a direction would be illusory and incapable of effective implementation.

12) However, the legal heirs of the deceased and the injured victim(s) are entitled to have their case considered under the Victim Compensation Scheme. Accordingly, in exercise of powers under Section 357A CrPC, this Court recommends the case to the District Legal Services Authority (DLSA), South-East District, Saket Court, New Delhi, for assessment and award of appropriate compensation

to the eligible victim(s)/legal heirs in accordance with law and the applicable Victim Compensation Scheme.

13) The Reader/Ahlmad shall forthwith transmit a copy of the judgment, this order on sentence, and other relevant records to the Secretary, DLSA, for necessary action.

14) Copy of this order be supplied to the convict free of cost. The convict is informed of his right to appeal.

15) Copy of the order on sentence be also sent to the Secretary DLSA, South-East District, Saket, New Delhi.

16) **File be consigned to record room after due compliance.**

**Announced in open Court
on 11th July, 2026**

**(VINOD KUMAR GAUTAM)
Additional Sessions Judge (FTC)-02
South East, Saket Court Complex,
New Delhi/11.07.2026**