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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 47/2025 & CRL.M.As. 1099/2025, CRL.M.(BAIL) 87/2025
KRISHANAppellant

Through: Mr. Shivek Trehan and Ms. Ayushi
Sinha, Advocates (Through VC)

versus

THE STATE (GOVT.OF NCT) DELHIRespondent
Through: Mr. Sanjeev Sabharwal, APP for State

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **16.01.2025**

CRL.M.A. 1099/2025 (for exemption)

1. Allowed, subject to just exceptions.
2. Accordingly, this application is disposed of.

CRL.A. 47/2025

3. This appeal has been filed assailing the judgment of conviction dated 02.08.2024 and order on sentence dated 13.11.2024 passed by the learned ASJ FTSC (POCSO), North District, Rohini Courts Complex, Delhi in session case no. 407/2018 in FIR No. 257/2017, under Sections 377/34 of the Indian Penal Code, 1860 ('IPC') along with Section 5(g), 5(l) and 6 of Protection of Children from Sexual Offences Act, 2012 ('POCSO Act') registered at P.S. Bawana, Delhi.

4. The Appellant was convicted for offences under Sections 377/34 IPC and Section 5(g), POCSO Act punishable under Section 6 POCSO Act and was sentenced for rigorous imprisonment for the term of fifteen (15) years and fined. Admit.



5. List in the category of 'Regular Matters' in due course as per its own turn.

6. Trial Court Record ('TCR') be requisitioned and a digital copy be placed on record and supplied to counsel for the parties, if and when required.

CRL.M.(BAIL) 87/2025 (under section 430 of Bharatiya Nagarik Suraksha Sanhita, 2023)

7. This application has been filed seeking suspension of sentence pending disposal of the appeal. The Appellant has been in custody since 27.03.2018.

8. Issue notice. Learned Additional Public Prosecutor accepts notice on behalf of the State.

9. The status report be filed before the next date of hearing. Updated Nominal Roll be also requisitioned from the jail superintendent and placed on record. The Appellant's counsel shall file two (2) page note bulleting the contentions in support of the relief of suspension of sentence with reference to pdf pages of court file and list of citations they wish to rely upon. This shall be placed on record prior to the next date of hearing.

10. Considering the nature of the offence, the Investigating Officer will inform the prosecutrix/complainant in writing regarding the pendency of the matter to enable them to be present in the Court personally or through authorized representative/counsel, if they so desire.

11. It is clarified that it is not compulsory the prosecutrix/complainant to appear in person.

12. It is stated that the appeal of the co-accused is bearing no. CRL.A. 23/2025 and is listed on 30.04.2025.



13. The registry is directed to list both the appeals together.
14. List on 30.04.2025.

MANMEET PRITAM SINGH ARORA, J

JANUARY 16, 2025/rhc/MG