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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 89/2026**

AFAM @ FM

.....Appellant

Through: Ms. Jahanvi Worah, Adv. (DHCLSC)
versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ashneet Singh, APP.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **05.05.2026**

1. This hearing has been done through hybrid mode.

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2. The present application has been filed by the Appellant under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter, 'BNSS') seeking suspension of sentence and release on bail during the pendency of the present appeal.

3. The Appellant was convicted *vide* judgment dated 1st August, 2022 passed by the Id. Additional Sessions Judge-04 and Special Judge (NDPS), South East, Saket Courts, New Delhi in **Session Case No. 2457/2016** arising out of **FIR No. 558/2015** registered at PS. Jamia Nagar. The Appellant has been convicted for offences under Section 302 of the Indian Penal Code, 1860 (hereinafter, 'IPC') and 25 of Arms Act, 1959. The sentence awarded to the Appellant is for life in terms of paragraph 8 of the order on sentence dated 20th December, 2022 which reads as under:

"8. Therefore, keeping in perspective the totality of circumstances and facts of this case, I am of the opinion that ends of justice would be met if the convict is



sentenced to undergo imprisonment for life for the offence punishable under Section 302 IPC and sentenced for a period already undergone for the offence punishable u/s 25 Arms Act. It is directed accordingly.”

4. In addition, compensation was also awarded to the Victim. The Court has considered the nature of the matter and the fact that the Appellant has been in custody for more than ten years now as per the latest nominal roll without interim bail even on one occasion.

5. Under these circumstances, the Court is inclined to grant interim bail to the Appellant for a period of 30 days from the date of his release, subject to the following conditions:

- i. The Appellant shall furnish a personal bond for a sum of Rs.10,000/-, with a surety of like amount to the satisfaction of the Trial Court/Link Court;
- ii. The Appellant shall provide his live phone number and residential address to the SHO, P.S. Jamia Nagar and regularly update the SHO about the change in address and phone number, if any;
- iii. The S.H.O of P.S. Jamia Nagar or the concerned Investigating Officer shall verify the address and the mobile number of the Appellant;
- iv. The Appellant shall stay in regular touch with the concerned Investigating Officer;
- v. The concerned Investigating Officer is at liberty to check upon the Appellant, during the time when he is on interim bail;
- vi. The Appellant shall report to SHO, P. S. Jamia Nagar, on every Monday at 11:00 A.M. and shall be discharged by 12:00 noon, after recording his presence and completion of all the necessary formalities;



- vii. The Appellant shall not indulge in any criminal activity and upon any such activity being discovered or indulged into, the present interim bail shall automatically stand cancelled;
 - viii. The Appellant shall not leave Delhi without prior permission of this Court;
 - ix. The Appellant shall not, directly or indirectly, contact the family members of the complainant/deceased in any manner;
 - x. Immediately, upon expiry of the bail period, the Appellant shall surrender before the concerned Jail Superintendent.
6. The application is allowed and disposed of in the above terms.
7. A copy of this order be communicated to the concerned Jail Superintendent for necessary information and compliance.
8. On the aspect of the compensation, the Delhi State Legal Services Authority (hereinafter, 'DSLISA') has filed a report stating that the sum of Rs.10 lakhs has been released into the account of the family members of the deceased.
9. In view thereof, no further orders are called for from the DSLISA. DSLISA need not appear further in this matter.
10. Order to be uploaded on the website of this Court *forthwith*.
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11. List on 29th September, 2026.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MAY 5, 2026

Rahul/ck