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

+ **CRL.A. 172/2023 & CRL.M.(BAIL) 271/2023**

PRITHI PAL SINGH @ SANJAY Appellant

Through: Mrs. Rajdipa Behura, Mr.Philomon Kani, Mr. Ashray Behura, Mrs. Neha Dobriyal and Mr. Swayamtosh Rath, Advocates.

versus

STAT GOVT OF NCT OF DELHI Respondent

Through: Mr. Satish Kumar, APP for the State with SI Chandani, P.S. Patel Nagar.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **22.02.2023**

CRL.M.A. 4737/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 4736/2023 (delay of 61 days in filing)

3. By this application under Section 5 of Limitation Act, 1963 read with Section 482 of the Code of Criminal Procedure, 1973, the appellant seeks condonation of delay of 61 days in filing the present appeal.
4. In view of the reasons stated in the application, the delay of 61 days in filing the present appeal stands condoned.
5. Application stands disposed of.

CRL.A. 172/2023

6. In the instant appeal filed under Section 374(2) read with Section 482



of the Code of Criminal Procedure, 1973 (“Cr.P.C”), the appellant seeks setting aside the impugned judgment dated 22.08.2022 and order on sentence dated 22.10.2022 passed by learned Additional Sessions Judge, (FTSC) RC-01, West District, Tis Hazari Courts, Delhi in SC no. 280/17, FIR no. 78/2017 whereby the appellant had been convicted and sentenced to undergo simple imprisonment for one month for the offence punishable under Section 341 IPC, to undergo rigorous imprisonment of 10 years and fine of Rs. 30,000/- for the offence punishable under Section 376 IPC. Out of fine amount, Rs. 10,000/- was ordered to be deposited in Court towards defraying the expenses of the State and the balance of Rs. 20,000/- was ordered to be payable as compensation to victim. In default of payment of said fine amount, the convict will undergo simple imprisonment for a period of 3 months in addition to the substantive imprisonment. The convict/appellant also convicted and sentenced to undergo simple imprisonment for 2 years for the offence punishable under Section 506 IPC.

7. Issue notice. Learned APP accepts notice on behalf of State and seeks time to file reply. Let the same be filed before the next date of hearing.
8. Nominal roll be called for.
9. Let Trial Court Record in digitized form be called for before the next date of hearing.
10. Re-notify on 20.04.2023.
11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

FEBRUARY 22, 2023/kss

[Click here to check corrigendum, if any](#)