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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.A. 133/2019, CRL.M.(BAIL) 1098/2022 & CRL.M.(BAIL)
1417/2022

KUDUS (J.C)

..... Appellant

Through: Sh. M.L. Yadav and Sh. Anshul
Yadav, Advs.

versus

THE STATE

..... Respondent

Through: Sh. Ritesh Kumar Bahri, APP for State
alongwith SI Satish Kumar, PS
Seelampur.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
16.01.2023

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CRL.M.(BAIL) 1417/2022

1. By this application, the appellant seeks regular suspension of sentence pending the present appeal on the ground that out of the sentence of ten years awarded to the appellant, he has already undergone custody of more than six years. The conviction (order dated 15th November, 2018) and sentence (order dated 27th November, 2018) arose from FIR No.834/2014, PS Seelampur, under Sections 376/506 IPC and Section 6 POCSO Act. On the last date of hearing before this Court i.e. 05.12.2022, this Court had directed the appellant to supply fresh address to the IO and the IO to verify the said address.
2. Today, the learned counsel for the petitioner states that the address given to the IO was A-11/35, Buland Masjid, Shastri Park, Delhi, which is the



address at which the appellant will be residing and which has been verified by the IO.

3. Considering the fact that the appellant has undergone substantial period of his sentence and the appeal is likely to take some time for hearing, in view of the decision of the Hon'ble Supreme Court in ***Sonadhar v. The State of Chhattisgarh***, SLP (Crl.) 529/2021 decided on 6th October, 2021, this Court deems it fit to suspend the sentence of the appellant. It is therefore, directed that the sentence of the appellant be suspended pending the hearing of the appeal, on his furnishing a personal bond in the sum of **₹25,000/-** with one surety bond of the like amount, subject to the satisfaction of the learned Trial Court/ CMM/ Duty Magistrate, further subject to the condition that the appellant will not leave the country without the prior permission of the Court concerned, and in case of change of his or his surety's mobile number and/or residential address during the pendency of the appeal, the same will be intimated to this Court by way of an affidavit.

4. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

5. Accordingly, the application is disposed of.

CRL.APPEAL 133/2019

6. List in due course as per its own turn.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 16, 2023/kct