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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.A. 133/2019

KUDUS (J.C)

..... Appellant

Through : Mr.Kanhiya Singhal, Advocate from
DHCLSC.

versus

THE STATE

..... Respondent

Through : Ms.Rajni Gupta, APP for the State.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **17.08.2020**

1. The hearing has been conducted through Video Conferencing.

Crl.M.A.No.9734/2020

2. Exemption allowed, subject to the condition that petitioner will file the duly sworn/attested affidavit within 72 hours from the date of resumption of the regular functioning of this Court.

3. The application stands disposed of.

Crl.M.(Bail).No.7708/2020

4. For early hearing of the pending Crl.M.B. No.447/2020 moved for regular suspension of sentence.

5. For the reasons explained in the application, the early hearing is allowed. The application stands disposed of.

Crl.M.(Bail).No.447/2020

6. This application is moved by appellant for seeking suspension of sentence during pendency of appeal. The submissions made by the learned counsel for applicant is that the FSL report as also DNA report is negative. However, these facts have been duly considered by the learned Trial Court. I have also gone through the testimony of

PW13-Prosecutrix, who consistently affirmed it was the petitioner who had committed the wrongful act with her. The age of the victim was 9½ years at the time of offence. The unexpired portion of sentence which the petitioner is yet to undergo is 6 years and 11 months as on 12.07.2020.

7. Considering the above facts and circumstances as well as the nature of crime, I am not inclined to suspend the sentence of applicant herein during the pendency of appeal.

8. The application stands dismissed.

9. Copy of this order be sent electronically to the learned Trial Court / the Jail Superintendent for information.

YOGESH KHANNA, J.

AUGUST 17, 2020

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