



\$~62

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

+ **CRL.A. 274/2026**

SHANKAR LAL

.....Appellant

Through: Mr. Shivek Trehan DHCLSC, Ms. Manika Pandey and Mr. Akash Chandna Advocates (M: 9311611900).

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri, APP with Ms. Divya Yadav & Mr. Lalit Luthra, Adv.
Insp. Sandeep Kumar.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **23.03.2026**

1. This hearing has been done through hybrid mode.

CRL.M.A. 8704/2026 (for exemption)

2. Allowed subject to all just exceptions. Application is disposed of.

CRL.A. 274/2026

3. The present appeal has been filed by the Appellant- Shankar Lal under Section 415(2) read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter*, 'B.N.S.S.') challenging the impugned judgement dated 23rd December, 2025 and impugned order on sentence dated 7th January, 2026, passed by Id. ASJ (FTC), Shahdara District, Karkardooma Courts, Delhi in *Sessions Case No. 197/2018* arising out of *FIR No. 425/2017*



registered at P.S Madhu Vihar for offences punishable under Section 302 of the Indian Penal Code, 1860 (*hereinafter, 'IPC'*).

4. *Vide* the impugned judgement, the Appellant has been convicted for offences punishable under Section 302 of IPC. *Vide* the impugned order on sentence, the Appellant has been awarded life imprisonment and fine has also been imposed in the following terms:

*“On being given first blow, the deceased fell down on the ground and convict did not stop and inflicted another blow upon his head even when he had fallen down on ground. He acted in unusual manner in the incident against the deceased. This is also not a type of case which warrants death punishment. Considering all the circumstances, **convict Shankar Lal** is sentenced to **rigours imprisonment for life** and to pay **fine of Rs.50,000/-** for offence punishable under **Section 302 IPC**. In default of payment of said fine, convict shall undergo simple **imprisonment for two years.**”*

5. Admit.

6. Issue Notice. Mr. Ritesh Kumar Bahri, Id. APP accepts notice on behalf of the State.

7. The Registry is directed to requisition the TCR and prepare the appeal paperbook with proper indexing, pagination and bookmarks expeditiously and provide digitized copies thereof to Id. Counsels appearing on behalf of the parties, upon request. Let the TCR be tagged along with this appeal by the next date of hearing.

8. Let the physical TCR be requisitioned to the Court on the next date of hearing by the Registry.



CRL.M.(BAIL) 581/2026 (for suspension of sentence)

9. The present application has been filed by the Appellant under Section 430 read with Section 528 of the B.N.S.S. seeking suspension of sentence and release on bail during the pendency of the present appeal.
10. Issue notice. Notice is accepted by Mr. Ritesh Kumar Bahri, Id. APP for the State.
11. Let the State file a status report/reply by the next date of hearing.
12. *Vide* the impugned order on sentence, certain compensation has been awarded to the mother of the deceased in the following terms:

“[...]

13. *Rs.50.000/- of the fine imposed above, if deposited/realized **from the convict shall go to the mother of deceased namely Smt. Shakuntala Devi as compensation under Section 357 of The Code of Criminal Procedure, 1973/Section 395 of The Bharatiya Nagarik Suraksha Sanhita, 2023 BNSS.***

XXX

16. *At this stage, it is hereby clarified that the sentence of fine has been imposed upon the convict keeping in mind the financial status and financial condition of the convict. In the opinion of this Court, the compensation awarded to the mother of the deceased out of said fine is not adequate at all in present case. **Hence, the case is also referred to DLSA for consideration qua grant of appropriate compensation to the mother of the deceased as per rules applicable.***”

13. Issue notice to Secretary, Delhi Legal Service Authority (*hereinafter*, ‘DLSA’), Shahdara, Karkardooma.



14. Let the DLSA file a status report as to the consideration of the appropriate compensation to be granted to the mother of the deceased and details qua the disbursal of compensation.
15. The latest Nominal Roll along with any other relevant material in respect of the Appellant shall be placed on record by the concerned Jail Superintendent by the next date of hearing.
16. Let an affidavit be filed by the Appellant in terms of the ***Practice Directions*** issued by this Court on 18th March, 2026, *vide circular No. 178/Rules/DHC*, setting out the criminal antecedents of the Appellant, by the next date of hearing.
17. Copy of this order to be communicated to the concerned Jail Superintendent for necessary information and compliance.
18. Copy of this order to be communicated to Secretary, DLSA, Shahdara for necessary information and compliance.
19. List on 8th July, 2026.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 23, 2026
MR/SN