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

+ **CRL.A. 129/2021**

VIKAS

..... Appellant

Through: Mr. Hansraj Singh, Advocate.
versus

THE STATE

..... Respondent

Through: Ms. Manjeet Arya, APP for the State
with Insp. Jitender Dagar, P.S.Nihal
Vihar.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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16.03.2021

Crl.M.A.4451/2021

Exemption allowed, subject to just exceptions.

The application stands disposed of.

CRL.A. 129/2021

Admit.

List in due course in the category of 'Regular Matters' as per the year of its seniority

Crl.M.(Bail) 302/2021 (for suspension of sentence)

The present application has been filed by the appellant under Section 389 Cr.P.C. for suspension of sentence during the pendency of the appeal.

By the present criminal appeal, the appellant has challenged the impugned judgment dated 21.1.2021 and order on sentence dated 29.1.2021 whereby the appellant has been convicted and sentenced to undergo SI for a period of one year for the offence punishable under Section 12 POCSO Act



and 354 IPC along with fine of Rs.5000/- and SI for three months for the offence punishable under Section 323/34 IPC alongwith fine of Rs.1000/-.

It is submitted by the counsel for the petitioner that the maximum sentence awarded to the petitioner is one year under Section 12 of POCSO Act and Section 354 IPC. Counsel for the petitioner also submits that petitioner will pay fine today itself and receipt in this regard will be filed on record. He further submits that sentence of the appellant be suspended till the disposal of the appeal.

Having regard to the facts and circumstances of the case and since the hearing of the appeal is likely to take some time and is not likely to be heard in near future, the sentence awarded to the appellant is suspended till the disposal of the appeal from the date of his release. The appellant is admitted to bail on his furnishing personal bond in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of the trial court, subject to the conditions that he shall not indulge in any illegal activities and he should not leave India without prior permission of the court below.

The appellant shall remain present in Court at the time of hearing of the appeal.

The application is disposed of accordingly.

Receipt of deposit of fine be filed before the trial court.

A copy of this order shall be transmitted to the trial court as well as the jail authorities.

RAJNISH BHATNAGAR, J

MARCH 16, 2021/ib