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

+ **CRL.A. 278/2020**

SHAMBHU

.....Appellant

Through: Ms. Counsel (appearance not given)
versus

STATE

.....Respondent

Through: Mr. Utkarsh, APP for the State.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

% **18.02.2026**

CRL.M.A. 5495/2026

1. Exemption allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.(BAIL) 382/2026

3. This application under Section 430 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the
appellant seeking interim suspension of sentence for a period of 30
days to enable the appellant to secure admission of his daughter to
school.

4. Issue notice. The learned Additional Public Prosecutor
accepts notice on behalf of the respondent/ State.



5. The learned prosecutor draws my attention to the order dated 28.03.2025, which reads thus:-

“CRL.M.(BAIL) 530/2025

1. By the present application, the applicant / appellant seeks interim suspension of sentence and release of the applicant on interim bail for a period of 30 days in order to enable him to secure school admission for his daughter.

2. The learned Additional Public Prosecutor for the State submits that the applicant is involved in a heinous offence.

3. He submits that the applicant was granted interim bail on an earlier occasion and had misused the said liberty. He submits that the applicant failed to surrender and he was re-arrested after more than three years on 29.02.2024.

4. Considering the above, the apprehension that the accused might flee from the trial, cannot be ruled out.

5. However, considering that the applicant prays for his daughter to be admitted to school, the concerned SHO is directed to facilitate the admission of the applicant's daughter in the Government school situated in the vicinity of her residence, on the strength of the present order.

6. No further orders are required to be passed in the



present application.

7. In view of the above, the present application stands disposed of.”

6. Further, it is also brought to the notice of the Court that on an earlier occasion when the interim suspension was granted, the appellant/accused absconded and was later on arrested after a period of more than 3 years.

7. That being the position and taking into account the facts and circumstances of the case, this is not a case in which the discretionary powers of this Court need to be exercised for suspending the sentence.

8. Hence, the application is dismissed.

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9. List on 08.07.2026.

10. The date already fixed, i.e. 10.03.2026 shall stand cancelled.

CHANDRASEKHARAN SUDHA, J

FEBRUARY 18, 2026/kd