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

+ **CRL.A. 174/2021**

SATENDER SHARMA

..... Appellant

Through

Mr. Kanhaiya Singhal, Advocate

versus

STATE NCT OF DELHI

..... Respondent

Through

Mr. Ashish Dutta, APP for the State
alongwith Inspector Ratnesh,
P.S.:Usmanpur

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

03.05.2021

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The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

CRL.M.A. 6903/2021 (Exemption)

Exemption granted, subject to just exceptions.

The application is disposed of accordingly.

CRL.M.A. 6904/2021 (Delay)

The present application under section 5 of the Limitation Act, 1963 read with section 482 of the Code of Criminal Procedure, 1973 has been instituted on behalf of the applicant/appellant seeking condonation of 50 days' delay in filing the accompanying appeal.



Issue notice.

Mr. Ashish Dutta, learned APP accepts notice on behalf of the non-applicant/State and fairly does not oppose this present application.

In view of the averments made in the application, which are duly supported by an affidavit and the circumstance that the applicant/appellant is incarcerated, the application is allowed. The delay of 50 days in filing the accompanying appeal is condoned.

The application is disposed of accordingly.

The criminal appeal is taken on Board.

CRL.A. 174/2021

Issue notice.

Mr. Ashish Dutta, learned APP accepts notice on behalf of the respondent/State.

Admit.

Let Trial Court Record be requisitioned in electronic form.

Let the appeal paper book be prepared and digitalised copies thereof be provided to learned counsel appearing on behalf of the parties.

List the appeal for hearing on the Regular Board, in due course at its turn.

CRL.M. (BAIL) 484/2021 (Regular Bail)

The present application under section 389 read with section 482 of the Code of Criminal Procedure, 1973 has been instituted on behalf of the applicant/appellant, praying as follows:



- “a) *Pass an order suspending the sentence of the appellant till the final disposal of the present appeal;*
- b) *Pass such further order(s) as this Hon’ble court deems fit and proper in the present case.”*

After some arguments, Mr. Kanhaiya Singhal, learned counsel appearing on behalf of the applicant/appellant, does not press this application, at this stage.

The application is dismissed as not pressed and disposed of accordingly.

A copy of this order be sent to the Jail Superintendent, electronically, to be further communicated to the appellant.

SIDDHARTH MRIDUL, J

ANUP JAIRAM BHAMBHANI, J

MAY 03, 2021/rs

[Click here to check corrigendum, if any](#)