



\$~4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 194/2021**
KALICHARAN Appellant
Represented by: Mr. Madhav Khurana, Adv. DHCLSC
with Mr. Kartikeye Dang, Adv.

versus

STATE (GNCT OF DELHI) Respondent
Represented by: Ms. Shubhi Gupta, APP for State with
SI Suresh Kumar, PS New Usmanpur.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **10.10.2022**

CRL.M.B. 1107/2022

1. By this application the appellant seeks interim suspension of sentence for a period of six weeks on the ground that he has good behaviour in the jail and that he is the sole earner and has to meet his family members and maintain social ties. It is also claimed that during the period of COVID pandemic he was out for six months and after the expiry of the said period the appellant surrendered. According to the appellant the four children of the appellant are dependent on him and thus he wants to join their company.
2. A status report was filed in response to this application indicating that the statements of the mother and brother of the appellant were recorded who stated that they were capable of taking care of the four children of the appellant and do not want the release of the appellant, as he created problem after being released on parole during lock-down.
3. Pursuant to the status report this Court called for a further status report



after recording the statements of the children of the appellant.

4. Second status report dated 28th September, 2022 has been filed. Statement of the son of the appellant who is now a major has also been recorded who states that he was residing with his paternal uncle and their family along with the three other siblings and he does not want his father to come out from the jail who has murdered his mother. Statement of the daughter has also been recorded who also reiterated the version of her brother.
5. Considering the fact that the family members and the children of the appellant are not inclined to re-establish social ties with the appellant, at this stage this Court finds no ground to grant interim suspension to the appellant.
6. Application is accordingly dismissed.
7. Order be uploaded on the website of this Court and be also communicated to the appellant through Superintendent Tihar Jail.

MUKTA GUPTA, J.

ANISH DAYAL, J.

OCTOBER 10, 2022
‘ga’