

\$~48

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

+ CRL.REV.P. 510/2019, Crl.M.(BAIL) 778/2019 &
Crl.M.A.9207/2019

RAM CHANDER

..... Petitioner

Through: Mr. Anuj Kapoor, Adv.

versus

STATE

..... Respondent

Through: Mr. Raghuvinder Verma, APP
with ASI Mahavir, PS Paschim
Vihar West, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

29.08.2019

CRL.M.A. 9207/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.(BAIL) 778/2019

1. Nominal roll received.
2. Status report is already on the record.
3. Nominal roll as well as status report perused.
4. Learned counsel for the petitioner submitted that vide judgment dated 11.5.2017, the petitioner was convicted for the offence under Sections 279/338/304-A of the Indian Penal Code, 1860 and vide order on sentence dated 25.5.2017, he was sentenced to undergo simple imprisonment for a period of three months for the offence

punishable under Section 279 of the IPC. The petitioner was further sentenced to undergo simple imprisonment for a period of three months and to pay a compensation of Rs.10,000/- to the victim Mohd. Wasim for the offence punishable under Section 338 of the IPC and in default of payment of compensation, he would have to further undergo simple imprisonment for a period of two months. The petitioner was further sentenced to undergo simple imprisonment for a period of ten months and to pay a compensation of Rs.20,000/- to the LRs. Of the deceased Late Shri Surender Kumar Anand for the offence punishable under Section 304-A of the IPC and in default of payment of compensation, he would have to further undergo simple imprisonment for a period of four months. Compensation was directed to be deposited within 30 days and all the sentences were directed to run concurrently.

5. Thereafter, the petitioner filed an appeal before the Appellate Court, however, the same was dismissed vide judgment dated 10.1.2019 without any modification.

6. Learned counsel for the petitioner further submitted that the petitioner has already undergone 7 months and 29 days including the remission earned as on 23.8.2019.

7. It is also submitted by the learned counsel for the petitioner that in view of the fact that the petitioner has already undergone more than 70 per cent of the sentence and the fact that the disposal of the revision petition may take some time, the order on sentence may be suspended and the petitioner be released on bail.

8. Accordingly, taking into consideration the sentence already

undergone by the petitioner as well as the fact that the disposal of the revision petition may take some time, the order on substantive sentence of the petitioner is suspended during the pendency of the present revision petition, subject to his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of Trial Court.

9. The application is disposed of accordingly.

CRL.REV.P. 510/2019

Renotify on 9.12.2019.

CHANDER SHEKHAR, J

AUGUST 29, 2019/rk