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

+ **CRL.A. 224/2021**

DILIP KUMAR

.... Appellant

Through: Ms. Manika Tripathy, DHCSLC with
Ms. Rony John and Mr. Chandra
Prakash, Advocates.

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Tarang Srivastava, APP for the
State with Insp. Rishikesh and SI
Maya S., PS Kalyanpuri.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

15.01.2024

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Crl.M.(Bail) 1324/2023 (for interim suspension of sentence)

1. Vide this application, the appellant is seeking interim suspension of sentence for a period of three months.
2. Learned counsel for appellant orally prays that the present application be converted into application for suspension of sentence during pendency of present appeal.
3. Accordingly, while exercising power under Section 482 Cr.P.C., we hereby convert the present application into application for suspension of sentence during pendency of the present appeal.
4. The present appeal has been preferred by the appellant seeking setting aside of the impugned judgment 10.03.2021 and order on sentence dated 25.03.2021 passed by learned trial Court in S.C.

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No.08/2017 in FIR No.372/2016, for the offences under Sections 302 IPC registered at PS Kalyanpuri, Delhi whereby he was held guilty and sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs.10,000/-. In default of payment of fine, he would have to further undergo simple imprisonment for 6 months.

5. As per Nominal Roll dated 11.08.2023, the appellant has undergone sentence for 06 years 7 months 01 days and earned remission of 07 months 21 days as on 09.08.2023. Thus, as on date, he has undergone sentence for more than 7 years. There is no other case pending against him and his conduct in jail is reported to be satisfactory.

6. Keeping in view the aforesaid facts and the fact that the present appeal is of the year 2021 and also that there are old appeals pending before us and the listing of the present appeal is not likely in near future, we hereby suspend the sentence of the appellant during the pendency of the appeal. The appellant be released on bail, on his furnishing a bail bond of Rs.10,000/- with one surety of like amount to the satisfaction of the Trial Court concerned.

7. Copy of order be transmitted to the learned Trial Court and to the concerned jail authorities for due compliance.

8. Application stands disposed of.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

JANUARY 15, 2024/st



This is a digitally signed order.

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