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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 533/2025**

R. B.

.....Appellant

Through: Mr. Shivek Trehan (DHCLSC) with
Ms. Manika Pandey, Mr. Akash
Chandna & Mr. Ambar Modi,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr Aashneet Singh, APP for State.
Ms. Inderjeet Sidhu, Adv. for Victim

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

% **08.07.2026**

1. This hearing has been done through hybrid mode.

CRL.M.(BAIL) 893/2025 in CRL.A. 533/2025

2. The present application has been filed by the Appellant under Section 430 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking suspension of sentence and release of the Appellant on bail during the pendency of the instant appeal.

3. The Appellant in the present appeal challenges the impugned judgement dated 22nd January, 2025 and order on sentence dated 21st March, 2025 passed by the Id. ASJ-01 (POCSO), North District, Rohini Courts, Delhi.

4. *Vide* the impugned judgement the Appellant has been convicted for offences punishable under Section 376(2) of the Indian Penal Code, 1860 and



Section 6 of the Protection of Children from Sexual Offences Act, 2012.

5. *Vide* the impugned order on sentence, the Appellant has been awarded sentence in the following terms:

“...16.As per above observations, convict 'RB' is hereby directed to undergo the following punishment :-

Imprisonment for life (LI), which shall mean imprisonment for the remainder of natural life of the convict, and fine of Rs. 10,000/- for the offence punishable under Section 6 of POCSO Act In case of default to pay, he shall undergo rigorous imprisonment of 01 month.

Further, it is also directed that convict be given benefit of sentence already undergone by him in terms of Section 428 Cr.P.C.

6. It is submitted that the Appellant is the father of the victim. Further, it is also stated that the Forensic Science Laboratory examination had revealed that the DNA of the child that was born to the victim, had matched with that of the Appellant.

7. The Court has considered the matter. In respect of the DNA analysis, the findings of the Trial Court are as under:

“[...]

42.As per FSL report Ex.P20/PW2, the DNA generated from the blood sample of victim and the DNA generated from the blood of accused were biological mother and father of DNA profile generated from the cord blood/ sample of baby.”

8. This Court under similar cases being, **CRL.A 10/2019** titled ‘**Mohd.**



Zamil v. State' and ***DRY v. State NCT of Delhi, 2026: DHC:448-DB***, where the father had committed rape of his own daughter, had observed that no leniency ought to be observed in such cases.

9. Under these circumstances, this Court is not inclined to suspend the sentence of the Appellant.

10. Accordingly, the application is dismissed.

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11. The Trial Court Record and the paperbook has been prepared in this matter.

12. Let Id. Counsels for the parties obtain the copy of the entire electronic Court record including the Trial Court Record as also the paperbook from the Registry, upon request, and make their submissions on the next date of hearing.

13. The parties shall file their respective written submissions at least two weeks before the next date of hearing.

14. List on 6th October, 2026.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

JULY 8, 2026

Rahul/sm