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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.A. 658/2019

**SMT POONAM @ SWEETY THROUGH PAROKAR HER SON
TARUN**

.....Appellant

Through: Ms. Lahana Singh Saini, Mr.
Vishwajeet Kumar and Mr. Amit
Singh, Advs.

versus

THE STATE

.....Respondent

Through: Ms. Shubhi Gupta, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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08.10.2025

CRL.M.A. 20744/2025

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.(BAIL) 1550/2025 (Suspension of Sentence)

1. The present application has been filed seeking suspension of sentenceduring the pendency of the appeal.
2. By way of present appeal, the appellant seeks to assail the judgementof conviction dated 26.03.2019 and order on sentence dated 30.03.2019 videwhich she has been directed to undergo RI for a period of 5 years for theoffence punishable under Section 370A(2) IPC with fine of Rs.20,000/-, in default thereof she would further undergo SI for 6 months. She was further sentenced to undergo rigorous imprisonment for 5 years forthe offence punishable under Section 5 Immoral Traffic (Prevention) Act



with fine of Rs.2,000/-, in default thereof she would further undergo SI for 15 days. She was further sentenced to undergo rigorous imprisonment for 7 years for the offence punishable under Section 6 Immoral Traffic (Prevention) Act with fine of Rs.10,000/-, in default thereof she would further undergo SI for 3 months. The benefit of Section 428 Cr.P.C. has also been provided to the appellant, and all the sentences have been directed to run concurrently.

3. Learned counsel for the appellant submits that the sentence of the appellant was suspended for a period of 6 weeks vide order dated 01.09.2025 as her daughter was found to be in family way. He prays that the appellant's sentence be suspended during the pendency of the appeal, as the sentence of the other two co-convicts has already been suspended and the appellant has already undergone more than half of the sentence imposed upon her. He further placed reliance on the decision in Saudan Singh vs. The State of Uttar Pradesh reported as **2021 SCC OnLine SC 3259** and Sonadhar vs. The State of Chhattisgarh reported as **2021 SCC OnLine SC 318**.

4. Learned APP for the State opposes the present application.

5. A perusal of the order dated 01.09.2025 shows that the appellant's sentence was suspended for a period of 6 weeks. The appellant's nominal roll dated 30.08.2025 is on record as per which she has undergone 3 years, 7 months and 29 days with remission earned of 3 months and 24 days, the jail conduct of the appellant has also been found to be satisfactory. Keeping in view the aforesaid, the sentence of the appellant is suspended during the pendency of the appeal on the same terms and conditions as imposed vide



order dated 01.09.2025.

6. A copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

CRL.M.(BAIL) 2047/2025

Keeping in view of the aforesaid, learned counsel for the appellant seeks to withdraw the present application and is accordingly disposed of as withdrawn.

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1. Learned APP for State, submits that the victim in the present case is a resident of Nepal and an effort would be made to inform the victim of the pendency of the present appeal.
2. Let Court notice be issued to the victim through the concerned I.O. and the same shall indicate the next date of hearing.
3. At this stage, Learned APP for State, on instructions, further states that as per the procedural requirement, the summons need to indicate the name and the address of the prosecutrix for being served. In view of this, the Registry shall handover the summons to the concerned I.O.
4. Renotify on 15.01.2026.

MANOJ KUMAR OHRI, J

OCTOBER 8, 2025/sn