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

+ CRL.A. 846/2019 and CRL.M.A. 17179/2020, CRL.M.(BAIL)
8262/2020 & CRL.M.(BAIL) 351/2022

HARSHAD ALAM @ ARSHAD ALAMAppellant

Through: Appellnat in person.

versus

STATERespondent

Through: Mr. Utkarsh, APP for the State.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

% **28.04.2026**

1. On the last hearing date, i.e. 19.01.2026, there was no representation on behalf of the appellant.

2. Today also, counsel for the appellant is not present. A person, namely, Mr. Harshad Alam appears online and claims to be the appellant in this case and submits that he is yet to comply with the order dated 07.10.2021, which reads thus:-

“3. This application is filed seeking interim suspension of sentence. The applicant is in judicial custody in case FIR No.71/2009 under Section 3 of the MCOCA, 1999. He has been sentenced on 30.05.2019 by learned ASJ (3), Special Court, MCOCA, New Delhi and was granted RI for 10 years with fine of Rs.7 lacs under Section 3(l)(ii) of the MCOCA, 1999 and RI for 10 years and fine of Rs.7 lacs under Section 3(4) of



MCOCA. Both the sentences are to run concurrently.

4. It is submitted by learned counsel for the petitioner, the petitioner is not financially viable to deposit entire fine in one go and has already spent more than half of his sentence. The nominal roll dated 28.09.2021 is on record which shows out of 10 years, the unexpired portion of sentence is 4 years 7 months and 18 days.

5. It is submitted by learned counsel, the petitioner shall deposit an amount of Rs.2 lacs before he is released on bail and the balance amount he shall try to deposit within two months from the date of his release and hence the matter be kept pending and interim bail for two months be granted so that he can arrange the money.

6. In the circumstances, the period of custody of the petitioner being more than half of the sentence, on deposit of Rs.2 lacs, the petitioner shall be released on interim bail for a period of 2 months from the date of his release on his executing a personal bond of Rs.25,000/- with one surety in the like amount to the satisfaction of the learned trial court. The petitioner shall deposit the balance fine amount within 2 months and thereafter this application shall be heard.

7. The applicant shall keep his mobile location app open at all times and shall furnish his contact details to the SHO concerned.

8. The applicant shall not indulge in any other criminal activity and shall ensure his presence at the time of hearing of the appeal.

9. List on 17.01.2022.”



3. Nearly 5 years have elapsed since the passing of the order dated 07.10.2021. As per order dated 14.10.2025, he was given further time of 2 months for depositing the amount. Thereafter, on 19.01.2026, it was noticed that the order is yet to be complied with and as requested by the appellant, again an adjournment was granted. The balance amount has not been deposited till date.

4. The appellant seeks an adjournment for 15 days. The same is rejected.

5. The appellant is directed to deposit the balance amount within 2 days failing which the Station House Officer concerned shall take him into custody.

6. List on 29.07.2026.

7. In the meantime, Registry is directed to requisition the digitized copy of TCR, properly bookmark the same and make it available to the Court before the next date of hearing.

CHANDRASEKHARAN SUDHA, J

APRIL 28, 2026/kd