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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.A. 652/2020 & CRL.M.(BAIL) 8501/2020 & CRL.M.A.
17954/2020

GAURI SHANKAR MISHRA THROUGH HIS PAROKAR/REAL
BROTHER-IN-LAW RANJEET CHAUDHERY Petitioner

Through Mr. Chirag Khurana, Adv.

versus

STATE(NCT OF DELHI) Respondent

Through Mr.Ashok Kumar Garg, learned APP
for State with SI Jaspreet Pannu.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

% **ORDER**
23.12.2020

CRL.M.A. 17954/2020 (exemption)

Allowed, subject to all just exceptions.

CRL.M.(BAIL) 8501/2020

Without any observations on the merits or demerits of the appeal, taking into account the findings of the instant case which hold to the effect that as per the FSL result the appellant is the father of the aborted child of his own daughter, there is no ground for suspension of sentence during the pendency of the appeal.

The application is thus declined.



CRL.A. 652/2020

The appellant vide the present appeal assails the impugned judgment dated 31.08.2020 and the impugned order on sentence dated 03.10.2020 of the learned ASJ -01, West, POCSO whereby the appellant has been convicted for the offence punishable under Section 6 of the POCSO Act, 2012 and Section 506-I of the Indian Penal Code, 1860 and has been sentenced to RI for a period of 14 years, to pay a fine of Rs.10,000/- and in default of the payment of the said fine to further undergo SI for a for a period of one month qua the offence punishable under Section 6 of the POCSO Act, 2012; he has been sentenced to undergo SI for a period of one year qua the offence punishable under Section 506-I of the Indian Penal Code, 1860 with both the sentences having been directed to run concurrently.

This being the first appeal, the appellant having a statutory right to file the appeal, the appeal is admitted for hearing. Taking the spirit of the POCSO enactment into account, it is considered appropriate that the appeal is heard expeditiously.

Notice of the appeal is issued to State and is accepted by the learned APP on behalf of the State.

The Trial Court record in the e-form be requisitioned for the next date of hearing.

The matter be re-notified for 24.12.2020

Production warrants be issued to the Superintendent Jail, Delhi concerned for production of the appellant through video conferencing for the hearing of the appeal.



The Investigating Officer of the case is also directed to produce the prosecutrix through video conferencing on the next date of hearing i.e. 24.12.2020.

ANU MALHOTRA, J

DECEMBER 23, 2020
'neha chopra'