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

+ **CRL.A. 795/2025**

SH TARKESHWAR

.....Appellant

Through: Mr. Saket Kumar and Mr. Rajesh
Sagar, Advocates

versus

THE STATE (GOVT OF NCT OF DELHI)Respondent

Through: Mr. Utkarsh, APP for the State with SI
Preeti, P.S. S.P. Badli

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

% **30.04.2026**

CRL.M.(BAIL) 1226/2025

1. This is an application under Section 430 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (the BNSS), seeking suspension of the sentence filed by the sole accused in Sessions Case no.198/2023 on the file of Additional Sessions Judge FTSC (POCSO), North District, Rohini Courts, Delhi. *Vide* the judgement dated 29.03.2025, the appellant/ accused has been convicted for the offences punishable under Sections 354, 341 and 323 IPC as well as Section 9 (m) read with Section 10 PoCSO Act.



Vide order on sentence dated 03.05.2025, he has been sentenced to varying terms of imprisonment for the aforesaid offences. The sentences have been directed to run concurrently. Therefore, the maximum sentence he will have to undergo is for a period of 05 years.

2. The learned counsel for the appellant/ accused submits that out of the sentence of 05 years, the appellant has already served more than 02 years and 04 months. He further submits that the fine amount imposed by the trial court has already been deposited.

3. The learned Additional Public Prosecutor submits that the appellant/accused has no criminal antecedents.

4. Heard both sides.

5. Since the appeal is of the year 2025, there is no possibility of the appeal being taken up for hearing in the near future. Moreover, the appellant/accused has served more than 02 years out of the sentence of 05 years and has no criminal antecedents. Hence, the sentence imposed upon the appellant/accused is suspended



during the pendency of the appeal on execution of a personal bond of ₹15,000/- with two solvent sureties for the like amount each to the satisfaction of the trial court, subject to the following conditions:-

- (i) The appellant shall provide the address where he is residing to the Station House Officer concerned and shall not change the address without informing the Station House Officer concerned.
- (ii) The appellant shall give his mobile number to the Station House Officer concerned on which he shall be available. If he changes his phone number, he shall inform the Station House Officer concerned without delay
- (iii) The appellant shall not contact the victim or any other prosecution witnesses.
- (iv) The appellant shall not commit any offence(s) while on bail and shall appear before this Court as and when directed.



(v) Needless to say, in the event of violation of any of the
aforementioned condition(s), the suspension of sentence
granted shall forthwith stand cancelled.

6. With the above directions, the application is disposed of.

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

CRL.A. 795/2025

8. List on 03.11.2026.

CHANDRASEKHARAN SUDHA, J

APRIL 30, 2026/rs