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

+ CRL.REV.P. 232/2025

AMANDEEP SINGH@ LALI

.....Petitioner

Through: Mr. Samdarshi Sanjay, Mr. Ashish
Kumar Sharma, Ms. Monika Sharma,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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11.07.2025

CRL.M.(BAIL) 1259/2025

1. The present application has been filed under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly, Section 397 of the Code of Criminal Procedure, 1973) seeks suspension of sentence awarded by the Trial Court by order on sentence dated 22nd November, 2024 in proceedings arising from FIR No. 189/2016 registered under Sections 354/354(B)/354(D)/506/509/341 of the Indian Penal Code, 1860 at P.S. Hazrat Nizamuddin.

2. The Applicant has been convicted by judgment dated 31st July, 2024 passed by the Trial Court for offences under Sections 354/354D/506/509 of IPC. The Applicant's appeal against the aforesaid orders was dismissed by the Sessions Court by judgment dated 3rd May, 2025.

3. By the impugned sentence order, the Applicant has been sentenced as follows:



- a. For offence under Section 354 of IPC, simple imprisonment for a period of 1 year along with payment of fine of INR 2,000/- and a default sentence of simple imprisonment of 1 month;
- b. For offence under Section 354D of IPC, simple imprisonment for a period of 1 year along with payment of fine of INR 2,000/- and a default sentence of simple imprisonment of 1 month;
- c. For offence under Section 506 of IPC, simple imprisonment for a period of 6 months along with payment of fine of INR 2,000/- and a default sentence of simple imprisonment of 1 month;
- d. For offence under Section 509 of IPC, simple imprisonment for a period of 6 months along with payment of fine of INR 2,000/- and a default sentence of simple imprisonment of 1 month.

All sentences were directed to run concurrently. Additionally, the Applicant was directed to pay compensation of INR 10,000/- to the victim, in default whereof, he was directed to undergo further imprisonment of 3 months.

4. Counsel for the Applicant argues that the Trial Court overlooked the fact that Respondent No. 2 failed to produce any evidence regarding the complaint allegedly filed in 2015. To justify this omission, Respondent No. 2 asserted that only a verbal complaint was made and no written complaint was submitted. It is further contended that the Applicant and Respondent No. 2 had been in a relationship for about 3-4 years prior to the FIR's registration. The Investigating Officer allegedly failed to recover the mobile phone of Respondent No. 2, which contained chats evidencing their relationship. Moreover, the Call Detail Records of both the Applicant and Respondent No. 2 were not examined, which is indicative of an unfair investigation.



5. The Court has considered the afore-noted facts and submissions. It is noted that several of the grounds raised by the Applicant are substantive and raise legitimate questions about the investigation and the trial process. Therefore, the issues raised by the Applicant indeed merit further consideration at the appropriate stage.

6. Further, as reflected in the Nominal Roll, as on 3rd July, 2025, the Applicant has undergone actual custody for a period of 2 months and 11 days. This period of detention is significant when compared with the maximum term of imprisonment of 1 year awarded by the Trial Court.

7. Taking into consideration the quantum of sentence imposed, the duration of custody already undergone by the Applicant, and since the hearing of the appeal is likely to take some time, the Court is inclined to suspend the sentence of the Applicant.

8. Accordingly, the Appellant shall be released on bail, subject to him furnishing a bail bond in the sum of INR 25,000/- with two sureties of the like amount, subject to the satisfaction of the concerned Jail Superintendent/Trial Court/ Duty MM on the following conditions:

- (a) The Applicant shall, under no circumstance, leave the NCT of Delhi, without permission of the Trial Court, during the period of his release;
- (b) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- (c) The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- (d) The Applicant shall, upon his release, give his mobile number to the



concerned IO/SHO and shall keep his mobile phone switched on at all times.

(e) The Applicant shall not commit any offence during the period of his release.

(f) The Applicant shall appear before the concerned Investigating Officer on the first Monday every three months to mark his presence. However, he shall not be kept waiting for longer than one hour for this purpose.

(g) The Applicant shall not reside within 5 km radius of the residence of the victim and shall also furnish proof of his residence to the concerned IO. The Applicant shall also not move in the vicinity of the victim in any manner.

9. The order shall come into effect subject to the payment of fine and compensation, if not already paid.

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

11. The application is allowed in the afore-mentioned terms.

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12. Notice be also served on the complainant through IO, returnable on the next date.

13. List on 15th September, 2025.

SANJEEV NARULA, J

JULY 11, 2025/PB