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

+ **CRL.A. 921/2025**

ASHOK KUMAR

.....Appellant

Through: Mr. Faraz Maqbool, DHCLSC, Ms. Deepshikha, Ms. Diptasree Bag, Ms. Sahitya Veena, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

01.09.2025

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CRL.A. 921/2025

1. Admit.
2. Issue notice. The learned APP for the State accepts notice.
3. List in due course.

CRL.M.(BAIL) 1426/2025

4. By way of the present application, the applicant is suspension of sentence awarded to him *vide* impugned judgment and order on sentence dated 31.01.2025 and 14.02.2025 respectively, passed by the learned Additional Sessions Judge, (SC-POCSO), East District, Karkardooma Court, Delhi, in case arising out of FIR bearing No. 482/2016, registered at Police Station Pandav Nagar, Delhi registered under Sections 354/354B of the Indian Penal Code, 1860 (hereafter '*IPC*') and Section 10 of the Prevention



of Children from Sexual Offences Act, 2012 (hereafter '*POCSO Act*'), whereby he has been convicted for the aforesaid offences, and sentenced to undergo rigorous imprisonment for a maximum period of five years and to pay a fine of 25,000/- and in default of payment of fine to undergo rigorous imprisonment for a period of six months.

5. Nominal roll has been received.

6. The learned counsel appearing on behalf of the applicant states that the applicant herein has been facing trial for 8 years and he is about 43 years of age and has undergone continuous incarceration of about 02 years and 01 month. He further states that his conduct during the period of incarceration has been satisfactory and there is no case pending against him. Therefore, the sentence awarded to the appellant/applicant in the present case be suspended during the pendency of the present appeal.

7. The learned APP appearing on behalf of the State states that as per nominal roll, the conduct of the applicant herein has been satisfactory without any punishment during the period of incarceration.

8. In light of the aforesaid facts and circumstances of the case, the present application is allowed. It is directed that the sentence awarded to the appellant/applicant shall remain suspended during the pendency of the present appeal, subject to his furnishing a personal bond to the tune of Rs. 10,000/- with one surety bond of the like amount, subject to satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions, subject to verification that the amount of fine be deposited with the learned Trial Court by the appellant:

i) The appellant/applicant shall not leave the country without prior permission of the concerned Court.



ii) In case of change of residential address/contact details and phone number, the applicant shall promptly inform the same to the concerned Trial Court.

9. Accordingly, the present application stands disposed of.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 01, 2025/VC