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

+ CRL.A. 907/2025

JAIPAL

.....Appellant

Through: Mr. Siddharth Satija, Mr. Sowjhanya Shankaran, Ms. Charu Singh, Ms. Ragini Nagpal, Ms. Anuka Bachawat & Mr. Akash Sachan, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri, APP with Ms. Honey Yadav, Adv.
Insp. Lalit Kumar, P.S. Fatehpur Beri.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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03.06.2026

CRL.M.(BAIL) 1123/2026 (*for interim bail*)

1. By virtue of the present application under *Section 430* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*BNSS*), the appellant seeks *interim* suspension of sentence imposed *vide* order on sentence dated 19.04.2025, passed by the learned ASJ-01 (FTC) South District, Saket, New Delhi (*learned Trial Court*) in SC 7129/2016 (34/2015) arising out of FIR No.214/2011 registered at PS: Fatehpur Beri under *Sections 498A/304B/34* of Indian Penal Code, 1860 (*IPC*), whereby he has been sentenced to undergo *life imprisonment* along with a fine of Rs.2,500/- for the offence under *Section 302 IPC*; and rigorous imprisonment for *three years* along with a fine of Rs.2,500/- for offence under *Section 498-A IPC*. In case of default of payment



of fine, the appellants shall further undergo simple imprisonment for a period of *six months*. Further, both the sentences were directed to run concurrently.

2. Learned counsel for the appellant has sought the suspension of sentence of the appellant on account of making arrangement, including financial arrangement, for admission of his *6.5 years* old daughter in *Class II* at R.K. Victoria Wilkinson School, D-95, Sanjay Colony, Bhati Mines, Delhi, affiliated to Municipal Corporation of Delhi. He, in order to further his case, also submits that the appellant was out on bail since 03.06.2013 till his conviction on 11.03.2025, during which, the appellant had never misused his liberty. Not only that, he submits that the appellant is also maintaining good conduct inside jail. In view thereof, learned counsel for the appellant has prayed for suspension of sentence imposed upon the appellant for a period of *four weeks*.

3. Learned APP for State has handed over the copy of Status Report which is taken on record. He submits that the details *qua* the admission of the daughter of the appellant have been verified. He, however, opposes the present application as the family of the appellant comprises of his wife and as he submits that the school admission process can be done even with one parent.

4. Heard.

5. Though this Court is cognizant of the fact that the appellant is involved in heinous offence inasmuch as he has been convicted under *Sections 302/498-A IPC* and have been sentenced to undergo *life imprisonment*, however, this is a case wherein the appellant is seeking interim suspension to make necessary (financial) arrangements for admission of his school going *6.5 years* old daughter, who has a future ahead. Also, the appellant had never



misused his liberty while on bail. Further, the appellant's Nominal Roll also shows his overall conduct as '*Satisfactory*'. In view of the aforesaid, this Court is allowing the present application seeking interim suspension of sentence purely on *humanitarian grounds*.

6. Accordingly, the present application is allowed and the sentence imposed upon the appellant *vide* order on sentence dated 19.04.2025, passed by the learned Trial Court in SC 7129/2016 (34/2015) arising out of FIR No.214/2011 registered at PS: Fatehpur Beri under *Sections 498A/304B/34* IPC is suspended for a period of *two weeks* from his release.

7. As such, the appellant be released from judicial custody in the aforesaid FIR subject to him furnishing a personal bond in the sum of Rs.25,000/- [*Rupees Twenty Five Thousand Only*] with one surety of the like amount from a family member/ friend having no criminal case pending against him and subject to the satisfaction of the concerned Jail Superintendent and further subject to the following conditions:

- (i) The appellant shall not leave NCT of Delhi without prior permission of this Court and shall ordinarily reside at his address as per prison records;
- (ii) The appellant shall also surrender his Passport, if any, to the concerned Jail Superintendent.
- (iii) The appellant shall provide his mobile number to the SHO, PS Fatehpuri Beri and intimate about change in the same, if any;
- (iv) The appellant shall not, directly or indirectly, contact the family members of the deceased in any manner;
- (v) The appellant shall report at the office of SHO, PS Fatehpuri Beri on every Monday at 11:00 a.m. and he shall be discharged by



12 noon, after recording his presence and completion of all the necessary formalities;

(vi) The appellant shall not indulge in any criminal activity and upon any such activity being discovered or indulged into, the present suspension of sentence shall automatically stand cancelled;

(vii) Upon expiry of the period of *two weeks* from the date of his release, the appellant shall surrender before the concerned Jail Superintendent on or before 04:00 PM.

8. The application is allowed in the above terms and disposed of accordingly.

9. A copy of this order be sent to the concerned Jail Superintendent for necessary information and compliance *forthwith*.

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10. List in due course.

**SAURABH BANERJEE, J
(VACATION JUDGE)**

**AMIT SHARMA, J
(VACATION JUDGE)**

JUNE 3, 2026/nk