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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 928/2025 & CRL.M.A. 19390/2025**

PAWAN SHUKLA

.....Appellant

Through: Mr. Shan Ul Islam and Mr. Anil Vyas,
Advocates. (M) 9643652078

versus

STATE OF GNCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri, APP with
Ms. Divya Yadav & Mr. Lalit Luthra,
Advs.
Inspector Amit Kumar, PS-Badarpur.
(M) 9911009003

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

% **07.07.2026**

1. This hearing has been done through hybrid mode.

CRL.M.(BAIL) 1439/2025(for suspension of sentence)

2. The present application has been filed by the Appellant – Mr. Pawan Shukla under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking interim suspension of sentence during the pendency of the appeal.

3. The Appellant in the present appeal challenges the judgement dated 30th May, 2025 and order on sentence dated 6th June, 2025, both passed by the Id. Additional Sessions Judge (FTC)-02, South East, Saket Court, Delhi in **Sessions Case No. 233/2018**. The present case arises out of **FIR No. 26/2018** registered at PS. Badarpur.



4. *Vide* the impugned judgment, the Appellant has been convicted for offences punishable under Section 302 of the Indian Penal Code, 1860.
5. The ground on which the present application is filed is that the entire conviction is based upon circumstantial evidence and there is no evidence which is connecting the Appellant to the death of the deceased.
6. The latest nominal roll of the Appellant reveals that the Appellant was initially arrested on 18th January, 2018 and except during COVID-19 period, the Appellant has been in custody for more than 6.5 years. The jail conduct of the Appellant for the last one year is '*Satisfactory*'. However, the overall jail conduct of the Appellant was '*Un-satisfactory*' with some punishments which have been given to the Appellant in the jail itself on a few occasions.
7. The affidavit of the past criminal antecedents of the Appellant would also show that there were four other cases, which were registered against the Appellant, however, in respect thereof, no serious issue has been raised.
8. Ld. Counsel for the Appellant submits that the Appellant is only 35 years of age and also has a wife and a daughter. On the other hand, Mr. Bahri, Id. APP, argues that the blood of the deceased was found on the clothes of the Appellant and the same was also proved in the FSL report.
9. This Court has considered the matter. The Appellant is only 35 years of age and has already undergone more than 6.5 years of incarceration. Moreover, the present appeal will itself take some time before it is finally heard.
10. Accordingly, considering the nominal roll as also the nature of the evidence against the Appellant, this Court is inclined to suspend the sentence of the Appellant during the pendency of the appeal, subject to the following conditions:



- i. The Appellant shall be released upon furnishing a personal bond for a sum of Rs.10,000/-, with a surety of the like amount, to the satisfaction of the concerned Jail Superintendent;
 - ii. The Appellant shall intimate the concerned SHO, P.S. Govindpuri regarding his residential address where he would be residing upon release, and shall also inform the SHO regarding any change in his residential address;
 - iii. The Appellant shall provide his mobile number to the concerned SHO, P.S. Govindpuri and intimate about change in the number, 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 the concerned SHO, P.S. Govindpuri, 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. The Appellant shall not leave the country without prior permission of this Court.
11. The application is disposed of in said terms.
 12. Copy of this order to be communicated to the concerned Jail Superintendent for necessary information and compliance.
 13. Order to be uploaded on the website of this Court *forthwith*.



CRL.A. 928/2025 & CRL.M.A. 19390/2025

14. List on 7th October, 2026.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

JULY 7, 2026
Jg/Ck