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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.A. 980/2025
VIKRANT @ ASHU

.....Appellant
Through: Mr. Vineet Jain, Adv.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent
Through: Ms. Meenakshi Dahiya, APP
for State with SI Ambika, PS
SB Dairy.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

% **ORDER**
16.07.2025

CRL.M.A. 20269/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.A. 980/2025, CRL.M.B. 1511/2025

3. The present appeal has been filed on behalf of the appellant under Section 415 of the Bharatiya Nagarik Suraksha Sanhita, 2023, assailing the Judgment dated 04.06.2025 and Order on Sentence dated 05.06.2025 passed by learned Principal District & Sessions Judge, North District, Rohini Courts, Delhi in Sessions Case no. 484/2023 titled as “***State vs. Vikrant @ Ashu***” arising out of FIR No. 157/2021



registered at Police Station Shahbad Dairy, whereby, the appellant was convicted.

4. The learned counsel for the appellant submits that the appellant has been convicted and sentenced to undergo Rigorous Imprisonment for a period of seven years and a fine of Rs. 50,000/-; in default of payment of fine, to undergo Simple Imprisonment for three months for the offence under Section 307 of the Indian Penal Code, 1860 (“IPC”).

5. While challenging the conviction, the learned counsel for the appellant submits that there are major contradictions appearing in the testimony of the witnesses examined on behalf of the prosecution before the learned Trial Court, which have not been considered by the Trial Court. More so, no independent witness was joined during the investigation and the prosecution case rests solely on the testimony of interested witnesses, including the injured. He further submits that the blood-stained clothes of the injured were not seized by the Investigating Officer (“IO”), despite the same having been handed over to the IO by the concerned doctor.

6. Issue notice.

7. Ms. Meenakshi Dahiya, learned APP accepts notice and seeks time to file a reply.

8. Let the reply be filed, within a period of six weeks, with an advance copy to the opposite side.

9. In view of the mandate of the Supreme Court in **Jagjeet Singh & Ors. vs. Ashish Mishra @ Monu & Anr.** (2022) 9 SCC 321, intimation be issued through the IO/SHO to the injured/victim, who



may either appear in person or through video conferencing, or be represented through an Advocate, on the next date of hearing.

10. Let the nominal roll of the appellant be called, from the concerned Jail Superintendent, before the next date of hearing.

11. Let the Trial Court Record, in digital form, be also requisitioned, before the next date of hearing.

12. List on 26.09.2025.

SHALINDER KAUR, J

JULY 16, 2025/ss/sk