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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.A. 987/2025 & CRL.M.(BAIL) 1518/2025

DEEN DAYAL @ DEENU

.....Appellant

Through: Ms. Aishwarya Rao, Ms. Mansi Rao &
Ms. Mamta Saha, Advs. (9871598522)

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Ritesh Kumar Bahri, APP
SI Vivek Tomar PS Sunlight Colony

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **12.01.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal has been filed by the Appellant under Section 415(2) read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter, 'BNSS') against the judgment dated 18th September, 2024 (hereinafter, 'impugned judgment') passed by Id. Additional Sessions Judge-02, South East District, Saket Courts, New Delhi.
3. Vide the impugned judgment, the Appellant has been convicted under Section 302 of the Indian Penal Code, 1860 (hereinafter, 'IPC') in the following terms:

"Sentence of Convict."

16. In this case, convict Deen Dayal was found guilty and convicted for having committed the offence punishable u/s 302 IPC.

17. Admittedly, the present case does not fall in the category of rarest of the rare case. Therefore, convict Deen Dayal is hereby sentenced to undergo rigorous imprisonment for life and also to pay a fine of Rs.2,000/- for having committed the offence



punishable under section 302IPC. In the event of failure to pay the fine amount, convict shall further undergo rigorous imprisonment for three months. Fine not paid.

18. Benefit of section 428 Cr.P.C. be given to convict for the period of detention already undergone by him in custody in this case.

19. So far as compensation to victim is concerned, the impact on the victim (family of the deceased) cannot be assessed in terms of money. Further, Therefore, DLSA, South-East District, Saket Courts, is directed to grant adequate compensation to the victim/ family of the deceased, as per rules. Copy of this order be also sent to Secretary, DLSA, South-East District, Saket Courts, for information and compliance.

20. Case property, if any be confiscated to the State after the expiry of period of revision/ appeal, if any. Copy of judgment and order on sentence, be supplied to the convict free of cost. Copy of this order be also sent to the Superintendent, Tihar Jail, for information."

4. The submission on behalf of the Appellant is that there was only one wound which was found on the body of the deceased and the same was neither sufficient to cause death nor was it the intention of the Appellant.

5. Ld. Counsel for the Appellant has taken the Court through the statement of PW-1, Ms. Renu Verma i.e., the wife of the deceased which would show that after the stab, a wound was inflicted upon the deceased. Thereafter, the deceased was initially taken to Jeewan Hospital and then to Safdarjung Hospital, wherein he was declared brought dead.

6. Ld. Counsel for the Appellant further submits that the Appellant has already served approximately 5 years of incarceration and the case deserves to be considered empathetically in view of the postmortem report as also the



fact that there was an illicit relationship which had led to the scuffle between the Appellant and the deceased.

7. On the other hand, Mr. Bahri, Id. APP submits that the motive is fully established and further, the knife stab was sufficient to cause death of the deceased person as per the postmortem report. Thus, the motive having been established and the eyewitness having informed clearly that the Appellant had actually stabbed the deceased, no benefit of doubt deserves to be given to the Appellant.

8. A perusal of the order on sentence shows that the District Legal Service Authority, South East District (hereinafter, 'DLSA') was also to prepare a report determining the compensation to the victim family.

9. Accordingly, let DLSA, South-East District place the said report on record and inform the Court as to whether any compensation has been computed or paid in this matter.

10. Id. Counsel for the parties may bring on the next date of hearing, their written submissions along with any judgements which they wish to rely upon.

11. Let the physical TCR be requisitioned in this matter by the next date of hearing.

12. List on 10th February, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

JANUARY 12, 2026

kk/ck