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

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CRL.A. 678/2024

NABEEL SIDDICK KHATRI

.....Appellant

Through: Mr. M.S. Khan, Prashant Prakash and
Ms. Qausar Khan, Advocates (M-
9871264255).

versus

NATIONAL INVESTIGATION AGENCY

.....Respondent

Through: Rahul Tyagi, SPP (NIA) with Mr.
Abhishek Tomar, Mr. Jatin, Mr.
Sangeet Sibou, Ms. Priya Rai and Mr.
Mathew M. Philip, Advocates with
Insp. Ajay (NIA) (M- 9818460146).

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CRL.A. 680/2024

JAHANZAIB SAMI

.....Appellant

Through: Mr. M.S. Khan, Prashant Prakash and
Ms. Qausar Khan, Advocates (M-
9871264255).

versus

NATIONAL INVESTIGATION AGENCY

.....Respondent

Through: Rahul Tyagi, SPP (NIA) with Mr.
Abhishek Tomar, Mr. Jatin, Mr.
Sangeet Sibou, Ms. Priya Rai and Mr.
Mathew M. Philip, Advocates with
Insp. Ajay (NIA) (M- 9818460146).

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CRL.A. 517/2024 & CRL.M.(BAIL) 934/2024

HINA BASHIR BEIGH

.....Appellant

Through: Mr. R.K Thakur and Mr. Saksham
Bhayana, Advocates.

versus

NATIONAL INVESTIGATION AGENCY

.....Respondent

Through: Rahul Tyagi, SPP (NIA) with Mr.
Abhishek Tomar, Mr. Jatin, Mr.



Sangeet Sibou, Ms. Priya Rai and Mr.
Mathew M. Philip, Advocates with
Insp. Ajay (NIA) (M- 9818460146).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% 01.08.2024

1. This hearing has been done through hybrid mode.

CRL.M.A. 22594/2024 (exemption) in CRL.A. 678/2024
CRL.M.A. 22646/2024 (exemption) in CRL.A. 680/2024

2. Exemptions allowed, subject to all just exceptions.

3. Applications are disposed of accordingly.

CRL.M.A. 22593/2024 (Condonation of delay) in CRL.A. 678/2024
CRL.M.A. 22647/2024 (Condonation of delay) in CRL.A. 680/2024

4. The Appellants are in judicial custody. The impugned judgments have been passed in May 2024. The delay being within the period prescribed under Section 21 of the National Investigation Agency Act, 2008, (NIA Act), the same is condoned.

5. Applications are allowed and disposed of accordingly.

CRL.A. 678/2024
CRL.A. 680/2024
CRL.A. 517/2024 & CRL.M.(BAIL) 934/2024

6. The present appeals filed under Section 21 of the NIA Act have been filed challenging the impugned order on sentence dated 6th May, 2024 awarded to the Appellants in SC No. 02/2020 arising out of RC No. 11/2020/NIA/DLI, under Sections 120B/124A/153A/201 of the IPC and Sections 13/17/18/38/39/40 of the Unlawful Activities (Prevention) Act, 1967 (*hereinafter*, 'UA(P) Act').



7. All the three Appellants have pleaded guilty, and the only challenge is *qua* the quantum of sentence.

8. The Appellant in **CRL.A. 678/2024** has been convicted for offences punishable under Sections 17/38/39 of the UA(P) Act. The said Appellant has been sentenced to undergo imprisonment for a period of 15 years for offence punishable under Section 17 of UA(P) Act along with a fine of Rs. 2.5 lakhs and further sentence of 2 years in default of payment of fine. The Appellant has also been sentenced to undergo imprisonment for a period of 8 years for offences punishable under Sections 38/39 of the UA(P) Act.

9. The Appellant in **CRL.A. 680/2024** has been convicted for offences punishable under Sections 13, 17, 18, 38, and 39 of the UA(P) Act and Sections 124-A and 120-B of the IPC. The sentences are as follows:

- Section 13 of the UA(P) Act: Imprisonment for 5 years.
- Section 17 of the UA(P) Act: Imprisonment for 20 years, along with a fine of Rs. 2.5 lakhs, and a further sentence of 2 years in default of payment of the fine.
- Section 18 of the UA(P) Act: Imprisonment for 20 years, along with a fine of Rs. 2.5 lakhs, and a further sentence of 2 years in default of payment of the fine.
- Section 38 of the UA(P) Act: Imprisonment for 8 years.
- Section 39 of the UA(P) Act: Imprisonment for 8 years.
- Section 124-A of the IPC: Imprisonment for 3 years, along with a fine of Rs. 1 lakh, and a further sentence of 1 year in default of payment of the fine.
- Section 120-B of the IPC: Imprisonment for 3 years, along with a fine



of Rs. 1 lakh, and a further sentence of 1 year in default of payment of the fine.

10. All sentences are to run concurrently.
11. The Appellant in **CRL.A. 517/2024** has been convicted for the offences punishable under Sections 38(2)/39(2) of the UA(P) Act. The Appellant has been sentenced to undergo imprisonment for a period of 8 years for offence punishable under Section 38(2) of UA(P) Act. The Appellant has been sentenced to undergo imprisonment for a period of 8 years for offence punishable under Section 39(2) of the UA(P) Act.
12. The Registry is directed to requisition the electronic copy of the Trial Court Record, with proper index, pagination and bookmarks, along with Socio-Economic Report for perusal of this Court by the next date of hearing.
13. Let the paper book for the same be also prepared.
14. Ld. Counsel for the parties may obtain the electronic record of the Court, including the TCR and the paper book, upon request from the Registry.
15. Let the NIA/Respondent place on record its affidavits within a period of 2 weeks from today in all the appeals.
16. List for hearing on the quantum of sentence on 11th September, 2024 on Top of the Board.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

AUGUST 01, 2024/sn/NS