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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A.769/2024 & CRL.M.(BAIL) 1404/2024, CRL.M.A. 24993/2024**

KISHAN SRESTHAppellant
Through: Ms. Anushka Arora, Adv.
versus
CBIRespondent
Through: Mr. Atul Guleria, SPP for CBI with
Mr. Pankaj Kumar & Mr. Ashish
Malhotra, Advocate.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE AMIT SHARMA

ORDER
% **27.08.2024**

1. This hearing has been done through hybrid mode.

CRL.M.A. 24993/2024

2. Exemption allowed, subject to all just exceptions. Application is disposed of accordingly.

CRL.A.769/2024

3. The present appeal has been filed by the Appellant- Kishan Sresth under Section 415(2) of the BNSS, against the judgment and order on sentence dated 17th May, 2024 and 8th July, 2024, respectively, passed by Id. Principal District & Session Judge-Cum- Special Judge (PC Act), CBI, Rouse Avenue District Court, New Delhi in CBI No. 39/2022, arising out of RC No. 050/2021/S-0010/CBI/SC-II/NEW DELHI, under Section 302/34 of the IPC, registered at P.S. CBI, Rouse Avenue, Delhi.

4. The Appellant has been convicted under Section 302/34 of the IPC, and



has been sentenced to undergo rigorous imprisonment for life for offences under Section 302/34 of the IPC along with fine of Rs. 15,000/- and in default of payment of fine, further simple imprisonment for 3 months.

5. Admit.

6. The Registry is directed to requisition the TCR and prepare the appeal paperbook with proper indexing, pagination and bookmarks expeditiously and to provide digitized copies thereof to learned Counsel appearing on behalf of the parties, upon request. Let the TCR be tagged along with this appeal by the next date of hearing.

CRL.M.(BAIL) 1404/2024

7. The present application under Section 430 read with Section 528 of the BNSS seeks suspension of sentence and release of the Appellant on bail during pendency of the instant appeal.

8. Issue notice.

9. Learned SPP for the CBI accepts notice and seeks time to file the status report. Let the same be filed before the next date of hearing.

10. List on 28th October, 2024.

11. In the meantime, let the latest nominal roll be requisitioned from the concerned Jail Superintendent by the next date of hearing.

12. Copy of the order be sent to the concerned Jail Superintendent, for necessary information and compliance.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

AUGUST 27, 2024/nk/am/sc