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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CRL.A. 780/2024, CRL.M.(BAIL) 1235/2025, CRL.M.(BAIL)  
1709/2025, CRL.M.(BAIL) 2063/2025, CRL.M.A. 23598/2025,  
CRL.M.(BAIL) 1436/2024  
SURENDER & ANR. ....Appellants  
Through: Mr. Kishan Singh Chauhan, Advocate.

versus

STATE OF NCT OF DELHI ....Respondent  
Through: Mr. Pradeep Gehlot, APP for the State

**CORAM:**  
**HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA**

**ORDER**

% **13.02.2026**

**CRL.M.(BAIL) 255/2025**

1. After arguing for some time, the learned counsel for the appellant no. 1 seeks permission to withdraw the present application.

2. The present application is dismissed as withdrawn.

**CRL.M.(BAIL) 1172/2025**

3. It is seen that appellant no. 2 was granted interim suspension of sentence as per order dated 02.09.2024. The order dated 02.09.2024 reads thus:-



**“CRL.M.(BAIL) 1414/2024**

1. Counsel for the appellants states that they are not seeking any suspension of sentence of the brother at this stage though his application being CRL.M. (BAIL) 1414/2024 is on record.
2. Considering the circumstances noted above, counsel for the appellant Surender seeks liberty to withdraw the said application and apply afresh at a subsequent stage.
3. The application is, accordingly, dismissed as withdrawn with liberty as prayed for.

**CRL.M.(BAIL) 1436/2024**

4. This application has been filed seeking regular suspension of sentence during the disposal of the appeal.
5. However, counsel for the appellants, on instructions, has stated that at present moment, they are seeking interim suspension of sentence since the appellant Mohini underwent 20 weeks of pregnancy.
6. The medical status report requisitioned by the Court confirms the same. Although the medical status report states that she is getting regular follow up and her vitals are stable, counsel for the appellants states that earlier she had twins in June, 2023 and was under supervision of the private hospital and had to go through a caesarean section. He further states that in his e-mulaqat with the petitioner, she stated that she was not feeling well and was quite uncomfortable.
7. It is stated by the counsel for she will be resident at her residence at A- 41, Gali No. 1, Tajpur Road, Molar Band Extension, Badarpur, New Delhi. The appellant was convicted in FIR 499/2015 registered



*at Police Station Badarpur under Sections 376/2M/342 IPC and Sections 6/7 POCSO Act. The appellant no.1/Surender, who is the brother of the appellant no.2 Mohini has also been convicted and in custody.*

*8. In these circumstances, for her to get proper care and diagnosis, this Court is inclined to grant interim suspension of sentence to the petitioner for a period of four weeks from the date of release on furnishing a personal bond in the sum of Rs.25,000 /- with one surety of the like amount subject to the satisfaction of the Trial Court/CMM/Duty Magistrate, further subject to the following conditions:*

*i. Appellant will not leave the country without prior permission of the Court.*

*ii. Appellant shall provide permanent address to the Trial Court/CMM/Duty Magistrate. The appellant shall intimate the Court by way of an affidavit and to the IO regarding any change in residential address.*

*iii. Appellant shall provide all mobile numbers to the Trial Court/CMM/Duty Magistrate concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation.*

*iv. Appellant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, the victim/complainant or any member of the victim/complainant's family or tamper with the evidence of the case.*

*9. Copy of the order be sent to the Jail Superintendent for*



*information and necessary compliance.*

*10. List on 30th September, 2024.*

*11. Order be uploaded on the website of this Court.”*

4. It is submitted by the learned counsel that appellant no. 2/ A2 has thereafter delivered a girl child, who is about one and a half years old and that she is visually challenged.

5. The learned Additional Public Prosecutor does not oppose the request and submits that in the light of the facts and circumstances, the suspension of sentence can be made absolute.

6. Heard both sides.

7. As the appellant no. 2 has got a young child who is visually challenged, the suspension of sentence granted *vide* order dated 02.09.2024 is made absolute, subject to the following conditions:-

(i) The appellant shall not commit any offence(s) while on bail and shall appear before this Court as and when directed.

(ii) The appellant shall provide his mobile number and



residential address to the Station House Officer (SHO) concerned, on which he shall remain available. In case of change of his mobile number or residential address, the appellant shall promptly inform the SHO concerned as well as this Court.

(iii) She shall not directly/indirectly contact the victim or any of the other prosecution witnesses.

(iv) Needless to say, in the event of violation of any of the aforementioned condition(s), the suspension of sentence granted shall forthwith stand cancelled.

8. With the above directions, the application is disposed of.

9. A copy of this order be communicated electronically to the Jail Superintendent concerned for information and compliance.

**CRL.A. 780/2024**

10. List for hearing on 08.10.2026.

**CHANDRASEKHARAN SUDHA, J**

**FEBRUARY 13, 2026/rr**