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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 1087/2025**
NITIN GAUR

.....Appellant
Through: Mr. Rajiv Bajaj, Mr. Vishant Prakash
and Mr. Naman Arora, Advocates

versus

STATE (GNCT) OF DELHI

.....Respondent
Through: Mr. Utkarsh, APP for State with SI
Udit

CORAM:
HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

% **ORDER**
13.04.2026

CRL.M.(BAIL) 1645/2025

1. This is an application under Section 430 read with Section 528 of the BharatiyaNagarik Suraksha Sanhita, 2023 (the BNSS), seeking suspension of the sentence of the accused in Sessions Case no. 272/2019 on the file of Additional Sessions Judge (SC-POCSO)-02, West District, Tis Hazari Courts, Delhi. *Vide* the judgement dated 23.04.2025, the accused has been convicted for the



offences punishable under Sections 354, 354A(2), 341, 509, 506, 174A of IPC and Section 8 and 12 of the PoCSO Act. *Vide* order on sentence dated 21.05.2025, he has been sentenced to varying terms of imprisonment for the aforesaid offences. The sentences have been directed to run concurrently. Therefore, the maximum sentence he will have to undergo is for a period of five years.

2. The learned counsel for the appellant submits that out of the sentence of 05 years, the appellant has served 2 ½ years.

3. The learned Additional Public Prosecutor submits that the appellant does not have any criminal antecedents.

4. Heard both sides.

5. Since the appellant has already served 2 ½ years and the appeal is of the year 2025, there is no possibility of the appeal being taken up for hearing in the near future, coupled with the fact that the appellant does not have any criminal antecedents, the sentence imposed upon the appellant/accused is suspended during the pendency of the appeal on execution of a personal bond of ₹15,000/-



with two solvent sureties for the like amount each to the satisfaction of the trial court, subject to the following conditions:-

- (i) The appellant shall appear before the SHO concerned on all second Saturdays between 10:00 A.M. and 12:00 noon until further orders.
- (ii) The appellant shall not commit any offence(s) while on bail.
- (iii) The appellant shall appear before this Court as and when directed.
- (iv) The appellant shall provide his mobile number and the address where he is residing to the Station House Officer concerned and shall not change the mobile number and address without informing the Station House Officer concerned.
- (v) Needless to say, in the event of violation of any of the aforementioned condition(s), the suspension of sentence granted shall forthwith stand cancelled.



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

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

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List on 14.10.2026.

CHANDRASEKHARAN SUDHA, J

APRIL 13, 2026

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