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

+ **CRL.A. 133/2022**

**IMRAN**

.....Appellant

Through: Mr. Nipun Katyal and Mr. Manan  
Sharma, Advocates

versus

**THE STATE (GOVT. OF NCT OF DELHI )** .....Respondent

Through: Mr. Pradeep Gahalot, APP for State  
with SI Vinod Kumar, PS Mehrauli,  
Mr. Archit Upadhayay (DHCLSC),  
Advocate for victim

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

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**20.12.2025**

**CRL.M.(BAIL) 806/2024 (suspension of sentence)**

1. The present application has been filed seeking suspension of sentence during the pendency of the present appeal.
2. By way of the present appeal, the appellant seeks to assail the judgment of conviction dated 17.11.2021 and the order on sentence dated 18.01.2022, whereby for offence punishable u/s 376 (2) IPC, appellant was sentenced to undergo RI for a period of 15 years, alongwith fine of Rs. 10,000/-, in default of payment of fine, to further undergo SI for a period of 6 months, and whereby for offence punishable u/s 366 IPC, he was further sentenced to undergo RI for a period of 7 years, alongwith fine of Rs.5,000/, in default of payment of fine, to further undergo SI for a period of 3 months



and for offence punishable u/s 506 (part II) IPC was further sentenced to undergo RI for a period of 2 years 6 months, along with fine of Rs. 5,000/-, in default of payment of fine, to further undergo SI for a period of 3 months. The fine imposed upon the appellant shall be paid as compensation to the victim. The benefit of Section 428 Cr.P.C was granted to the appellant.

3. Learned counsel for the appellant contends that the case of the prosecution is unreliable as the IO has not seized the CCTV footage. He further submits that the appellant has been falsely implicated for the reason that the employer of the mother of the victim was employed with the appellant's landlord because of which the victim falsely implicated the appellant. He further submits that there was a delay in reporting the incident as well as the FSL does not support.

4. The application is opposed by learned APP for Sate as well as learned counsel for the victim. It is stated that victim aged 15 years has consistently stated about the offence. She has clearly stated that she had given a suit for stitching, and she had gone to collect the same, the appellant on that pretext of trial of the suit in his factory, took her on a scooty to the jungle and committed the offence. Learned counsel also invited the attention to the medical examination report as per which the Hymen was torn.

5. At this stage, it is pertinent to note that the appellant was granted interim suspension for a period of 30 days vide order dated 24.01.2025, on the ground that his wife was required to undergo surgery. Thereafter, the appellant sought extension of the said interim suspension, which was declined vide order dated 17.03.2025, as the requisite surgery had admittedly not been undergone. Consequently, the appellant was directed to surrender on 18.03.2025. The appellant thereafter approached the Supreme



Court of India by filing SLP (Criminal) no. 8749/2025 where initially he was permitted not to surrender. However, vide order dated 19.08.2025, the interim protection earlier granted on 04.06.2025 was dismissed and the appellant was directed to surrender forthwith. It was further observed that the authorities would be at liberty to take recourse in case of non-compliance.

6. The subsequent proceedings reveal that the appellant failed to surrender despite the aforesaid directions, pursuant to which non-bailable warrants were issued on 09.09.2025 by this Court. The surrender report has been placed on record as per which the appellant had surrendered on 12.10.2025, i.e., after a delay of nearly 7 weeks.

7. In view of the above conduct, this Court is of the considered opinion that the present application does not inspire confidence, accordingly, the same is dismissed.

**MANOJ KUMAR OHRI, J**

**DECEMBER 20, 2025**

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