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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 842/2024**

PANA DEVI

.....Appellant

Through: Ms.Cauveri Birbal, Ms.Priyanka
Sinha, Mr.Srikant Mishra and
Ms.Preksha Gaur, advts.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms.Kiran Bairwa, APP for the State
SI Sheetal, PS K.M.Pur and Insp.Amit
Dutt

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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10.09.2024

CRL.M.A. 27281/2024 (delay)

Present application has been filed for condonation of delay in filing the appeal.

Learned counsel for the appellant submits that there is delay of 74 days, however, inadvertently in the application 45 days has been mentioned.

Learned counsel submits that the appellant is in jail for the last three years and six months and for this reason, the delay took place.

Issue notice. Learned APP has accepted the notice.

Since it is a jail petition, the delay of 74 days in filing the appeal is condoned.

The application stands disposed of.



CRL.M.A. 27282/2024 (exemption)

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

CRL.A. 842/2024

Present appeal has been filed challenging the impugned judgment dated 15.12.2023 in S.C.case no.2729/2016 in case FIR No. 544/2016 registered with Police Station: Kotla Mubarakpur under section 376 D IPC And section 4/6/17 POCSO Act.

The appellant has been convicted for the offence under Section 109 IPC and Section 17 of the POCSO Act vide impugned order on sentence dated 23.04.2024. The appeal filed by the co-accused bearing CRL.A.No.811/2024 title as *Ram Swaroop v. State NCT of Delhi* dated 30.08.2024, has already been admitted by this court. Learned counsel submits that there are inherent contradictions in the impugned judgment and the learned trial court has overlooked some crucial evidence.

Issue notice. Learned APP has accepted the notice.

Issue notice to the prosecutrix/victim through all permissible modes, returnable for 19.12.2024.

CRL.M.(BAIL) 1508/2024 (suspension of sentence)

Present application has been moved seeking suspension of sentence. The appellant has been convicted for offence Punishable under section 109 IPC and Section 17 POCSO Act and sentenced of 40 years of Imprisonment and fine. In default of payment of fine, the appellant has been directed to SI for further days. Learned counsel submits that the appellant has been in custody for the last more than three years.

Issue notice. Learned APP has accepted the notice.



Issue notice to the prosecutrix/victim through all permissible modes,
returnable for 19.12.2024.

The updated nominal roll be also called.

DINESH KUMAR SHARMA, J

SEPTEMBER 10, 2024

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