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

+ CRL.A. 1267/2025

RIZWAN ANSARI

Through: Mr. Siddharth Yadav and Mr. Nitin
Kumar Yadav, Advocates.Appellant

versus

STATE (NCT OF DELHI)

Through: Mr. Utkarsh, APP for the State.Respondent

CORAM:
HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER
08.05.2026

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CRL.M.(BAIL) 1887/2025

1. This is an application under Section 430 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (the BNSS), seeking suspension of the sentence filed by the first accused (A1) in Sessions Case no. 52819/2016 on the file of Additional Sessions Judge, Special Fast Track Court, North West, Rohini, Delhi. As per impugned judgment, the appellant/A1 has been convicted for the offences punishable under Section 370 IPC, Section 23 of the



Juvenile Justice Act 2015, and Sections 3 read with 14 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. 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 12 years.

2. The learned counsel for the appellant/A1 submits that out of 12 years's sentence, he has already served more than two years. The learned counsel has drawn my attention to Ext.PW1/A, which is FIS/FIR, as well as PW2/A164 statement of the victim. The victim has more or less stood by her case in the testimony.

3. The application is opposed by the learned Additional Public Prosecutor.

4. Heard both sides.

5. Ongoing through Ext. PW1/A and Ext. PW2/A, it appears that the appellant/A1 has an arguable case. It is also seen that the appellant has other cases registered against him but as per order



dated 10.07.2024 of the High Court of Jharkhand in IA No. 987/2025 in Criminal Appeal No. 1709/2023, the appellant/A1 has been released on bail as it was found that the victim in the said case registered alleging commission of offences punishable under Section 6 of the PoCSO Act as well as Sections 363, 370 and 376 IPC had turned hostile. Hence, the sentence imposed upon the appellant/A1 is suspended during the pendency of the appeal on execution of a personal bond of ₹25,000/- 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 give his mobile number to the Station House Officer concerned, on which he shall be available. If he changes his phone number, he shall inform the Station House Officer concerned without delay
- (ii) The appellant shall not commit any offences on bail.
- (iii) The appellant shall not contact the victim or any other prosecution witnesses.



(iv) The appellant shall provide the address where he is residing to the Station House Officer concerned and shall not change the 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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8. List on 01.12.2026.

CHANDRASEKHARAN SUDHA, J

MAY 8, 2026/mj