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

+ CRL.A. 1007/2024, CRL.M.A. 32809/2024, CRL.M.A. 32810/2024
& CRL.M.(BAIL) 1844/2024

MONU

.....Appellant

Through: Mr. Faheem Alam, Adv.
versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Ajay Vikram Singh, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **22.01.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A. 32809/2024 (Exemption)

2. Exemption allowed, subject to just exceptions.

3. The application is disposed of accordingly.

CRL.M.A. 32810/2024 (Condonation of delay of 20 days)

4. The present application under Section 5 of the Limitation Act, read with Section 528 of the BNSS, seeks condonation of delay of 37 days in filing the present appeal.

5. Issue notice.

6. Learned APP for the State accepts notice, and fairly does not oppose this application.

7. For the reasons stated in the application and in the interest of justice, the delay of 37 days is condoned and the application is allowed.



8. The application is disposed of accordingly.

CRL.A.1007/2024

9. The present appeal under Section 415(2) of the BNSS read with Section 374 of the Cr.P.C. has been filed challenging the judgment and order on sentence dated 06.01.2024 and 12.07.2024, respectively passed by Dr. Sugandha Aggarwal, learned ASJ- (Special Court) (Rape Cases), South District, Saket Courts, New Delhi in CIS No. 6663/2016, in FIR No. 3093/2015 under Section 376D/342/392/506/34 of the IPC and Section 66E of the IT Act, registered at P.S. Jamia Mehrauli.

10. The appellant has been convicted under Section 376 D and 342 Section 506(1) of the IPC and Section 66 E of the Information Technology Act. The appellant has been sentenced to undergo 20 years of rigorous imprisonment for the offence under Section 376 D IPC alongwith fine of Rs. 1,000/-; in default further simple imprisonment for a period of 15 days. The appellant was sentenced to undergo rigorous imprisonment for 1 year for offence under Section 342 IPC. The appellant was sentenced to undergo simple imprisonment for 2 years for the offence under Section 506 (1) IPC. The appellant was sentenced to undergo simple imprisonment for 2 years for the offence under Section 66 E of the Information Technology Act, alongwith fine of Rs. 1,000/- of the IPC, and in default of payment of fine, simple imprisonment of 15 days.

11. Admit.

12. The Registry is directed to requisition the trial Court record, for perusal of this Court, before the next date of hearing.

CRL.M.(BAIL) 1844/2024 (Suspension of sentence)

13. The present application under Section 430 of BNSS seeks suspension



of sentence and release of the appellant on bail during pendency of the instant appeal.

14. Issue notice.

15. Learned APP for the State accepts notice and seeks time to file a status report. Let the same be filed before the next date of hearing.

16. Notice be issued to the survivor through the SHO concerned for the next date of hearing.

17. List on 28.04.2025.

18. In the meantime, latest nominal roll be requisitioned from the concerned Jail Superintendent.

19. Copy of the order be sent to the concerned Jail Superintendent, for necessary information and compliance.

AMIT SHARMA, J

JANUARY 22, 2025/nk

[Click here to check corrigendum, if any](#)