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

+ **CRL.A. 1464/2025**

VIRENDER PANDEY

.....Appellant

Through: Mr. Braham Singh, Ms. Seema Singh,
Mr. Rohit Vidhuri, Ms. Manju and Mr.
Jayant Kumar, Advs.

versus

STATE (NCT DELHI) & ORS

.....Respondents

Through: Mr. Aashneet singh, APP for State
Ms. Inderjeet Sidhu (DHCLSC) and
Ms. Devyani Singh, Adv.

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+ **CRL.A. 1469/2025**

SHUBHAM PANDEY@BAMBAM & ORS.

.....Appellants

Through: Mr. Braham Singh, Ms. Seema Singh,
Mr. Rohit Vidhuri, Ms. Manju and Mr.
Jayant Kumar, Advs.

versus

STATE (NCT DELHI)

.....Respondent

Through: Mr. Aashneet singh, APP for State
Mr. Kushagra Kumar SPC

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **24.03.2026**

1. This hearing has been done through hybrid mode.

CRL.M.(BAIL) 2146/2025, CRL.M.(BAIL) 2147/2025 & CRL.M.(BAIL) 2148/2025 in CRL.A. 1469/2025



2. There are three applications filed by the Appellants in **CRL.A. 1469/2025** seeking suspension of sentence of Shubham Pandey @ Bambam, S/o Shri Virender Pandey, Aman @ Annu, S/o Shri Surender Kumar Pandey and Anand Prakash Pandey @ Vishal, S/o Shri Devender Pandey @ Chulbul Pandey.

3. The background of these cases is that on 10th January, 2019, information was received at P.S. Kalyanpuri that an incident of quarrel had taken place between two parties and injured persons were taken to the hospital as well by the PCR van. Amongst the injured persons, one person named Ankit passed away on 12th January, 2019 and upon the complaint of one Suresh, who was also injured in the said incident, **FIR No. 22/2019** was registered at PS Kalyanpuri.

4. Upon further investigation, a cross FIR was registered on a complaint filed by the members of the other group involved in the said quarrel/altercation. Thus, the cross **FIR being FIR No. 23/2019** was also registered at PS Kalyanpuri.

5. Thereafter, on 31st May, 2019, an order on charge was passed, framing charges u/s 302/307/201/34, IPC, against the following accused persons in **FIR No. 22/2019** :

1. Shubham Pandey @ Bambam S/o Virender Pandey
2. Sachin S/o Surender Kumar
3. Aman @ Anu S/o Surrender Kumar Pandey
4. Anand Prakash Pandey @ Yishal S/o Devender Pandey

6. Following the framing of charges, trial was conducted and the impugned judgment was passed on 1st September, 2025, convicting the accused persons- Shubham Pandey, Aman and Anand Prakash Pandey for



offences punishable under Section 302/201/34, IPC. One of the accused persons, namely Sachin had passed away during the pendency of the trial.

7. *Vide* the impugned order on sentence dated 27th September, 2025, the said convicted persons were sentenced to undergo rigorous imprisonment or life, along with imposition of fine.

8. It is the said judgment dated 1st September, 2025 and order on sentence dated 27th September, 2025, that stand challenged before this Court in ***CRL.A. 1469/2025***.

9. Further, in respect of the cross FIR, being ***FIR No. 23/2019***, *vide* the order on charge dated 11th October, 2019, charges were framed against accused persons– Suresh @ Nakava, Dharam Singh and Rakesh @ Ghanti u/s 308/34, IPC.

10. *Vide* separate judgment dated 1st September, 2025, the Id. Trial Court, in ***FIR No. 23/2019***, acquitted the three accused persons. The said judgment dated 1st September 2019, stands challenged before this Court in ***CRL.A. 1464/2025***.

11. Today, the Court has heard the submissions made on behalf of the parties on the applications for suspension of sentence filed by the Appellants in ***CRL.A. 1469/2025***.

12. The sentence awarded to the Appellants in this appeal is rigorous imprisonment for life. The Court has heard the Id. Counsel for the Appellants, who has submitted that the three Appellants were very young and in their early 20s when the incident took place. They have been in custody since 2019, except during the COVID-19 period, when they were released on bail.

13. The father of Appellant nos. 1 and 3 and the brother of Appellant no.2 are present in Court. They have informed the Court that the Appellants are not



involved in any other criminal cases.

14. The Court has also perused the latest nominal roll of all three Appellants, and as per the same, their jail conduct is stated to be satisfactory. The total of judicial custody of the three Appellants is as under:

S. No.	Name of the appellant	Sentence undergone (including under trial)
1.	Anand Prakash Pandey @ Yishal S/o Devender Pandey	5 years 3 months 4 days. (as on 20 th March, 2026)
2.	Aman @ Anu S/o Surrender Kumar Pandey	5 years 4 months 5 days. (as on 20 th March, 2026)
3.	Shubham Pandey @ Bambam S/o Virender Pandey	5 years 4 months 3 days. (as on 20 th March, 2026)

15. The three Appellants are in their twenties. A substantial period of their youth has been spent in custody. The incident also does not, prima facie, appear to be pre-mediated and occurred in the spur of the moment, during an altercation.

16. Under these circumstances, considering the period of incarceration and the age of the Appellants, the Court is inclined to suspend the sentence of all the three Appellants in **CRL.A. 1469/2025**, during the pendency of the appeal, subject to the following conditions:

- i. The Appellants shall be released upon furnishing a personal bond for a sum of Rs.20,000/- each, with a surety of the like amount, to the satisfaction of the Trial Court;
- ii. The Appellants shall intimate the concerned SHO, P.S.



Kalyanpuri, regarding their residential address where they would be residing upon release, and shall also inform the SHO regarding any change in their residential address;

iii. The Appellants shall provide their mobile number to the concerned SHO, P.S. Kalyanpuri, and intimate about change in the number, if any;

iv. The Appellants shall not, directly or indirectly, contact the family members of the complainant/deceased in any manner;

v. The Appellants shall report at the office of the concerned SHO, P.S. Kalyanpuri, on first Monday of every month at 11:00 a.m. and they shall be discharged by 12 noon, after recording their presence and completion of all the necessary formalities;

vi. The Appellants shall not indulge in any criminal activity and upon any such activity being discovered or indulged into, the present suspension of sentence shall automatically stand cancelled;

vii. The Appellants shall not leave the country without prior permission of this Court;

viii. The Appellants shall appear before this Court as and when the matter is taken up for hearing.

17. The application is allowed in the above terms and disposed of accordingly.

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

19. Order be uploaded on the website of this Court *forthwith*.

CRL.A. 1464/2025 & CRL.A. 1469/2025

20. Admit ***CRL.A. 1464/2025***.



21. List these two appeals for hearing on 18th August, 2026.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 24, 2026/prg/ss