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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 1734/2025**

HEMRAJ @ VICKY

.....Appellant

Through: Mr. Aman Nandrajog and Mr. Harshit
Joshi, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kr. Bahri, APP with Ms.
Divya Yadav, Mr. Lalit Luthra, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **16.01.2026**

CRL.M.A. 38607/2025 (Exemption)

CRL.M.A. 38608/2025 (Exemption)

1. Allowed, subject to all just exceptions. The applications are disposed of.

CRL.M.A. 38609/2025

2. This is an application seeking condonation of delay of 49 days in filing of the appeal. For the reasons stated in the application, the delay is condoned.

3. The application is disposed of.

CRL.A. 1734/2025

4. The present appeal has been filed by the Appellant challenging the impugned judgment of conviction dated 23rd August, 2025 and the order on sentence dated 29th August, 2025 passed by the Id. ASJ-04, West District, Tis Hazari Courts, Delhi in **Sessions Case No. 56026/2016** arising out of **FIR No. 1476/2014** dated 16th December, 2014 registered at P.S. Rajouri Garden under Section 302 of IPC.



5. *Vide* the impugned order of conviction the Appellant has been convicted under Section 302 of IPC and the relevant portion of the impugned order on sentence is as follows:

“Considering the facts, circumstances, submissions made and aggravating and mitigating circumstances, this Court is of the considered opinion that the interest of justice would met if the convict Hemraj @ Karanti @ Vicky is sentenced to undergo rigorous imprisonment for life for the offence u/s. 302 IPC and fine of Rupees Five Lakh. In default of payment of fine, rigorous imprisonment for the period of one year.

The aforesaid fine amount of Rupees Five Lakh be paid to the family members/LRs of the deceased as compensation. In default of payment of compensation amount, the same shall be recoverable as per the provisions of Section 421 Cr.P.C. read with Section 431 Cr.P.C.

However, this Court is satisfied that the aforesaid compensation amount awarded to the family members/LRs of the deceased is not adequate. Accordingly, it is recommended at this conclusion of trial of present case to District Legal Service Authority for further compensation u/s. 357A (3) Cr.P.C. as this Court is satisfied that aforesaid compensation amount is not adequate to set off the loss suffered by the family members/LRs of the deceased.”

6. Admit.

7. The Registry is directed to requisition the TCR and prepare the appeal paperbook with proper indexing, pagination and bookmarks expeditiously and



provide digitized copies thereof to Id. Counsel appearing on behalf of the parties, upon request.

8. Let the TCR be tagged along with this appeal by the next date of hearing.

CRL.M.(BAIL) 2549/2025

9. The present application under Section 430 Bharatiya Nagarik Suraksha Sanhita, 2023 seeks suspension of sentence and release of the Appellant on bail during pendency of the instant appeal.

10. Issue notice.

11. Mr. Ritesh Bahri, Id. APP for the State accepts notice and seeks time to file a reply/status report. Let the same be filed by the next date of hearing.

12. In the meantime, the latest nominal roll be requisitioned along with relevant documents, if any, from the concerned Jail Superintendent.

13. Let notice be issued to the family of the deceased through the concerned SHO. The family of the deceased may appear on the next date along with their counsel or may approach the Delhi High Court Legal Services Committee for appointing a Legal Aid counsel.

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

15. Copy of the order be communicated to the Secretary, Delhi High Court Legal Services Committee for necessary information and compliance.

16. List on 10th March, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

JANUARY 16, 2026/PRG/msh