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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.A. 3/2026

VIRAJ RAI

.....Appellant

Through: Mr. B.Badrinath, Adv.
versus

STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Ritesh Kumar Bahri, APP with
Mr. Lalit Luthra & Mr. Vinesh Kumar,
Advts & SI Ramesh Kumar.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **15.01.2026**

1. This hearing has been done through hybrid mode.

CRL.M.A. 84/2026 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CRL.M.A. 85/2026 (for condonation of delay)

3. This is an application seeking condonation of delay of 78 days in filing the appeal.

4. For the reasons stated in the application, the delay is condoned.

5. The application is allowed and is disposed of accordingly.

CRL.A.3/2026

6. The present appeal has been filed by the Appellant under Section 415(2) read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 challenging the impugned judgement dated 19th August, 2025 and order on sentence dated 4th September 2025, passed by Id. ASJ (FTC)-02,



West District, Tis Hazari Courts, New Delhi in **Sessions Case No.** 463/2019 arising out **FIR No. 156/2019** registered at P.S Mundka, Delhi under Section 302 of Indian Penal Code, 1860 (*hereinafter, 'IPC'*).

7. *Vide* the impugned judgement, the Appellant has been convicted under Section 302 IPC. *Vide* the impugned order on sentence, the Appellant has been awarded life imprisonment and also fine of Rs. 20,000/- in the following terms:

“[..]

12. Considering the overall facts and circumstances of the case, the convict Viraj Rai S/o Sh. Ram Prakash is sentenced to imprisonment for life and fine of Rs.20,000/- for offence under Section 302 IPC. In default of payment of fine, the convict shall undergo Simple imprisonment for 06 months. Fine not paid.”

8. Admit.

9. Issue Notice. Mr. Ritesh Kumar Bahri, Id. APP accepts notice on behalf of the State.

10. 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. Counsels appearing on behalf of the parties, upon request. Let the TCR be tagged along with this appeal by the next date of hearing.

11. Let the physical TCR be requisitioned to the Court on the next date of hearing by the Registry.

CRL.M.(BAIL) 4/2026 (for suspension of sentence)

12. The present application has been filed by the Appellant under Section 430 read with Section 520 of the Bharatiya Nagarik Suraksha Sanhita, 2023



seeking suspension of sentence and release on bail during the pendency of the present appeal.

13. Issue notice. Notice is accepted by Mr. Ritesh Kumar Bahri, ld. APP for the State.

14. Let the State file a status report/reply by the next date of hearing.

15. Let the latest nominal roll along with any other relevant material in respect of the Appellant be placed on record by the concerned Jail Superintendent by the next date of hearing.

16. Let an affidavit be filed by the Appellant setting out the criminal antecedents of the Appellant by the next date of hearing.

17. Copy of this order be communicated to the concerned Jail Superintendent for necessary information and compliance. Copy of this order be communicated to the Secretary, Delhi High Court Services Committee

18. List on 21st April, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

JANUARY 15, 2026

Ar/sm