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

+ **CRL.A. 30/2026 & CRL.M.(BAIL) 42/2026**

RAM NIWAS

.....Appellant

Through: Mr. Pawan Kumar Sharma, Advocate.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for State.

SI Bharti, P.S.: J.P. Kalan and SI

Deepika, P.S.: Vikarpuri.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **09.01.2026**

CRL.M.A. 671/2026 (exemption)

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CRL.A. 30/2026

By way of the present appeal filed under section 415 of the Bhartiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the appellant impugns judgment dated 24.07.2025 and sentencing order dated 29.11.2025 passed by the learned Additional Sessions Judge (FTSC)(POCSO)-02, South-West District, Dwarka Courts, New Delhi in case FIR No. 0119/2022 dated 14.05.2022 registered under sections 323/506/509 of the Indian Penal Code, 1860 ('IPC') and section 12 of the Protection of Children from Sexual Offences Act, 2012 at P.S: Jaffarpur Kalan, Dwarka, Delhi.

2. Issue notice.

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3. Mr. Shoaib Haider, learned APP appears for the State on advance copy; and accepts notice.
4. Admit.
5. Let Trial Court Record be requisitioned in electronic form; let appeal paper-book be prepared; and let a copy of the paper-book be supplied to both counsel on request.
6. List in due course on the Regular Board.

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7. By way of present application filed under section 430 read with section 528 of the BNSS, the applicant/appellant seeks suspension of sentence during the pendency of the present appeal.
8. Learned counsel appearing for the appellant submits, that *vide* sentencing order dated 29.11.2025, the learned trial court has admitted the appellant to bail for a period of 30 days upon furnishing of bail bond and surety bond of Rs. 25,000/- each, whereupon the present appeal has been filed within time.
9. Issue notice.
10. Mr. Shoaib Haider, learned APP appearing for the State accepts notice; and seeks time to file status report.
11. Let status report be filed before the next date; with copy to the opposing counsel.
12. Let the appellant's updated nominal roll be requisitioned from the Jail Superintendent for the next date.



13. In view of the mandate of the Supreme Court in ***Jagjeet Singh & Ors. vs. Ashish Mishra @ Monu & Anr.***¹, the complainant/victim is entitled to be heard in the present proceedings. Accordingly, let intimation be sent by the Investigating Officer to the complainant/victim informing them that they are entitled to be heard in the present proceedings, for which they may remain present (either in-person or via video-conferencing) or be represented on the next date.
14. Let proof of service of intimation be placed on record before the next date.
15. In the meantime, the sentence awarded to the appellant shall remain *suspended* till the next date of hearing before this court *subject to* the same conditions as imposed by the learned trial court *vide* order dated 29.11.2025.
16. Re-notify on 24th April 2026.

ANUP JAIRAM BHAMBHANI, J

JANUARY 9, 2026

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¹ (2022) 9 SCC 321 at paras 22 & 23