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

CNR No. DLHC011086032025

+ **CRL.A. 46/2026**

ASHOK KUMAR YADAV

.....Appellant

Through: Mr. Mukesh Kalia with Ms. Kanika
Vohra, Mr. Shivam Sharma and
Mr. Adeed Nawaz, Advocates.

versus

STATE

.....Respondent

Through: Mr. Raj Kumar, APP for the State with
SI Indrajeet, PS Rajouri Garden.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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12.08.2026

CRL.M.(BAIL) 69/2026 (for suspension of sentence)

1. The appellant herein has been held guilty for committing offences under Sections 326A/392/294 IPC read with Section 120B IPC as well as for offences under Section 411 IPC and Section 120B IPC.
2. The maximum sentence meted out to the appellant herein is of rigorous imprisonment for a term of 12 years for offence under Section 326A IPC. There is also a direction to him to pay fine and there is also a provision for undergoing further imprisonment in case of there being any default in payment of fine.
3. As per the prosecution story, victim, a lady doctor, was going to her hospital on a scooty and when she reached near Rajouri Garden Market, a

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motorcycle came from behind. Two boys were riding the same and the pillion rider threw a chemical like substance on her face, which resulted in serious burn injuries on her right eye and face. The investigation was carried out which resulted in arrest of four persons, including two *juvenile offenders*. The acid in question was, allegedly, thrown by the bike borne *juvenile offenders*. They were tried separately by the *Juvenile Justice Board*.

4. Fact, however, remains that, as per prosecution story, acid was thrown in terms of conspiracy with the prime offender i.e. applicant herein. Prosecution was able to examine 44 witnesses and the learned Trial Court, as already noticed above, has held him and his co-accused guilty. Since his co-accused Vaibhav Kumar had already undergone incarceration for a period of more than ten years, he was not taken into custody after pronouncement of sentence, as he had already undergone the sentence awarded to him.

5. Said Vaibhav Kumar has not filed any appeal so far.

6. The appeal is of the year 2026 and there is no likelihood of it getting heard in near future, as various old appeals are also pending before this Court.

7. It is for the abovesaid reason that the appellant has prayed for suspension of sentence.

8. The Nominal Roll of the applicant has been received from the Jail which indicates his period of incarceration as 7 years 9 months and 26 days as on 13.03.2026. Thus, his incarceration, as on date, is beyond 8 years.

9. Learned Addl. P.P. for the State was requested to get in touch with the concerned victim so that her response, if any, is also ascertained while considering the abovesaid application seeking suspension of sentence.

10. Victim is present in Court with her husband. She, however, leaves it to the Court to pass appropriate orders with respect to the abovesaid application.



Her limited request is, however, to the effect that in case appellant is released on bail and the sentence is suspended, there should be a clear direction to him not to make any endeavour to contact her or her family, in any manner, whatsoever, either directly or indirectly.

11. Mr. Mukesh Kalia, learned counsel for appellant submits that appellant has a good *prima facie* case for the purpose of suspension of sentence. He submits that he has been falsely implicated on the basis of there being a criminal conspiracy but during the trial, no circumstance surfaced which may indicate any angle of conspiracy or overt act on his part. He also submits that learned Trial Court was not justified in drawing adverse inference against him on the basis of his testimony recorded under Section 315 Cr.P.C. He submits that there is complete absence of the alleged motive and marriage proposal theory and the several contradictions appearing on record have not been appreciated in the desired manner.

12. Keeping in mind the overall facts and long incarceration period of the appellant and the fact that there is no likelihood of appeal getting heard finally in near future, the sentence of the appellant is, hereby, suspended on his furnishing personal bond and surety bond in sum of Rs. 50,000/- each subject to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Judicial Magistrate First Class, with the following conditions:-

(i) *The appellant, as undertaken by his counsel, would deposit the entire fine amount and irrespective of the pendency of the present appeal, the complainant would be at liberty to withdraw the same as per direction contained in impugned judgment.*

(iii) *The appellant shall provide his mobile number to the investigating officer and shall keep the same operational all the time, till the disposal of*



the case. He would also give his address where he would stay during the pendency of the appeal. In case, there is any change in his address, the same shall be duly informed to the Registry of this Court as well as to the concerned SHO/IO.

(iv) The appellant shall not try to come in contact with victim and her family in any manner whatsoever. In case any such instance is brought to the notice of the Court either by the victim or by prosecution, it would entail dismissal of suspension order.

13. The application stands disposed of in aforesaid terms.
14. A copy of this order be sent to the concerned learned Trial Court and also to the Jail Superintendent for necessary information and compliance.
15. A copy of this order be given *dasti* under signatures of the Court Master.

MANOJ JAIN, J

AUGUST 12, 2026
st/sa