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

+ CRL.A. 579/2018

AJAY @ LALA

..... Appellant

Through: Mr.Arpit Bhalla, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr.Kamal Kr.Ghai, APP with ASI
Paras Ram, PS Vijay Vihar

+ CRL.A. 773/2018

VIRENDER @ BUNTY

..... Appellant

Through: Mr.Sunil Choudhary, Advocate

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Kamal Kr.Ghai, APP with ASI
Paras Ram, PS Vijay Vihar

+ CRL.A. 701/2018

AMIT

..... Appellant

Through: Mr.Arpit Bhalla, Advocate.

versus

STATE

..... Respondent

Through: Mr.Kamal Kr.Ghai, APP with ASI
Paras Ram, PS Vijay Vihar

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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08.10.2018

CRL.A. 579/2018 & CRL.A. 773/2018

CRL.A. 701/2018



CRL.M.(B) 840/2018 in CRL.A.579/2018
CRL.M.(B) 1178/2018 in CRL.A.773/2018
CRL.M.(B) 1061/2018 in CRL.A.684/2018

1. By way of these applications filed under Section 389 Cr.P.C., petitioners are seeking suspension of sentence during the pendency of the present appeals.
2. Petitioners have been convicted for offences under Section 307/34 IPC and have been sentenced to undergo RI for 7 years and to pay a fine of Rs.20,000/- and in default to undergo SI for a further period of two months.
3. The allegations against the petitioners are that they had assaulted the complainant and caused injury to her with a knife.
4. Learned counsel for the petitioners submits that the nature of the injury sustained by the complainant, as opined by the medical report, is simple. They further submit that there is no injury on any vital part of the body.
5. Learned counsel for the petitioners further submits that the evidence does not substantiate the allegations against the petitioners and further submits that as per the prosecutrix herself, the said incident happened in a public place and there were other members of the public who were present, however, no independent witness has been produced by the prosecution.
6. Learned counsel for the petitioner further submits that the petitioners during their trial were also enlarged on bail.

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7. As per the nominal roll the petitioners have undergone 8 months of incarceration.

8. Keeping in view the facts and circumstances of the case and without commenting upon the merits of the case, on petitioners furnishing a bail bond in the sum of Rs. 40,000/- each with one surety of the like amount to the satisfaction of the concerned Trial Court and paying the fine amount, remaining sentence of the petitioners shall remain suspended till the disposal of their respective appeals.

CRL.A. Nos.579/2018, 773/2018 & 701/2018

1. The Trial Court records have been received. The appeals have already been admitted for final hearing.
2. The appeals be listed together for final disposal, as per their turn.
3. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

OCTOBER 08, 2018
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CRL.A. 701/2018