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

+ CRL.A. 521/2016

NAVEEN KUMAR

.....

Appellant

Through: Mr.Anurag Jain, Adv.

versus

STATE

..... Respondent

Through: Mr.Varun Goswami, APP
for the State.
SI Ram Sahai, PS Jaitpur.

CORAM:

HON'BLE MS. JUSTICE GITA MITTAL

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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19.12.2016

Crl.M.B.No.2204/2016

1. The status report dated 16.12.2016 under the signatures of Inspector Mohar Singh, SHO PS Jaitpur has been filed confirming that the appellant's father Prabhu Dayal has to undergo surgery on 21st December, 2016 subject to his PAC fitness.
2. We are informed by Mr.Anurag Jain, learned counsel for the appellant that out of his two siblings, one brother is living separately while another brother has the responsibility of taking care of his relatives as well as the father.
3. A perusal of the nominal roll would show that appellant has

undergone as on 16th December, 2016 more than seven years six months of continuous incarceration without a sentence ever been suspended.

4. In view of the above, it is directed as follows:

(i) Subject to the appellant furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the trial court, the sentence imposed on the appellant shall remain suspended for a period of six weeks from the date of his release.

(ii) Prior to his release, the appellant shall also give mobile number of his close relative as well as the address at which he will remain available during his period of suspension of sentence to the SHO of P.S. Jaitpur and to the Trial court.

(iii) Upon expiry of the period of suspension of sentence, the appellant shall surrender to the Superintendent of the Tihar Jail, Delhi.

5. This application is allowed in the above terms. Dasti.

6. Copy of the order be given dasti under the signature of Court Master as well.

GITA MITTAL, J

**ANU MALHOTRA,
J**

DECEMBER 19, 2016

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