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

+ **CRL.A. 737/2018**

SHABEJ HASSAN

..... Appellant

Through **Ms. Shivangi Nanda and Mr.
Samar Kachwaha, Advs.**

versus

STATE

..... Respondent

Through **Mr. Panna Lal Sharma, APP for
State**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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15.01.2021

The hearing has been conducted through video conferencing.

Crl. M.A.638/2021 (Exemption)

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

Crl.M.(Bail) 45/2021

1. Vide the present application, applicant/appellant seeks suspension of sentence awarded by Trial Court vide judgment dated 05.04.2018 and order on sentence dated 11.04.2018 whereby applicant was sentenced to undergo RI for a period of 07 years, for offence punishable under Section 397 IPC. Benefit of Section 428 Cr.P.C. was also given to the applicant.
2. As per nominal roll dated 03.12.2020, the applicant has undergone 3 years and 9 months out of total sentence of 7 years and earned remission of 11 months. Thus, he has undergone more than 4 ½ years.

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3. Keeping in view the quantum of sentence already undergone and the fact that hearing of appeal shall take substantial time, this Court is inclined to suspend the sentence of applicant during the pendency of the appeal.
4. Accordingly, he shall be released on bail on his furnishing personal bond in the sum of ₹10,000/- with one surety of the like amount to the satisfaction of Trial Court.
5. Appellant shall also ensure his presence at the time of hearing of the appeal.
6. The application is allowed and disposed of.
7. Copy of this order be transmitted to the Jail Superintendent and Trial Court concerned for necessary compliance.
8. The order be uploaded on the website of this Court forthwith.

SURESH KUMAR KAIT, J

JANUARY 15, 2021/rk