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

+ CRL.A. 781/2018

SAEED

Through Ms. Dolly Sharma with Mr. Sumer
Sethi, Advs.
versus

..... Appellant

STATE

Through Mr. Hirein Sharma, APP for State
SI Ashish Sharma, PS Welcome

..... Respondent

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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11.02.2020

Vide the present application, applicant/appellant seeks suspension of sentence granted by the Trial Court vide order on sentence dated 26.05.2018 whereby the applicant has been sentenced to undergo RI for a period of 10 years and fine of ₹10,000/- for the offence punishable under section 6 POCSO Act and in default of payment of fine, to undergo SI for 3months.

He is further sentenced to undergo RI for 2 years and fine of ₹2,000/- for the offence punishable under section 506 IPC and in default of payment of fine, to undergo SI for 15 days.

Both the above mentioned sentences shall run concurrently.

It is not in dispute that as per nominal roll dated 19.12.2019, the applicant has completed five years, five months and sixteen days, out of the total sentence of ten years awarded by Trial Court.

Keeping in view the reasons stated in the application and the fact that

unexpired portion of sentence is remained less than five years, this Court is inclined to suspend the sentence of the appellant during the pendency of the appeal.

Therefore, the applicant 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 the Trial Court.

The applicant shall not involve himself in any other case and in the event of any report against him, this Court would consider the desirability of cancelling the suspension of sentence. The applicant shall also ensure his presence at the time of hearing of the appeal.

The application is allowed and disposed of.

Order *dasti* under signatures of Court Master.

Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for necessary compliance.

SURESH KUMAR KAIT, J

FEBRUARY 11, 2020

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