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

+ **W.P.(C) 8323/2018**

VINOD KUMAR Petitioner
Through **Mr.Ankur Chhibber, Adv.**

versus

UNION OF INDIA AND ORS Respondents
Through **Mr.Saroj Bidawat, Adv.**

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 17.08.2018

C.M. No.31938/2018 (by the petitioner for suspension of sentence)

1. On 9th August, 2018, counsel for the respondents was directed to obtain instructions from the department in the light of the averments made by the petitioner in C.M. No. No.31938/2018 moved by him seeking suspension of the sentence. Learned counsel for the petitioner had stated before us that the period of punishment of imprisonment of three years imposed upon the petitioner apart from dismissing him from service, is likely to expire in the first week of October, 2018.

2. Today, learned counsel for the respondents hands over a tabulated statement of the period of confinement of the petitioner since his attachment with the GSFC trial and states that the petitioner

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has been confined for 182 days in the pre trial detention period and 170 days between 28.11.2016 to 16.05.2017 after the conviction orders were passed. She states that the period of detention in respect of the petitioner would expire on 31.05.2019. The aforesaid documents have been furnished to counsel for the petitioner whose stand taken on 09.08.2018, stands falsified. In view of the aforesaid position, we are not inclined to suspend the sentence imposed on the petitioner at this stage.

3. The application is dismissed.

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1. Learned counsel for the petitioner states that he proposes to file an application to amend the writ petition.
2. At his request, list on 16.10.2018.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 17, 2018/aa