

Court No. - 67

Case :- CRIMINAL APPEAL No. - 5451 of 2017

Appellant :- Vipin

Respondent :- State of U.P.

Counsel for Appellant :- Rakesh Prasad, Tushar Kant

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi, J.

Hon'ble Mohd. Azhar Husain Idrisi, J.

(Order on Sentence Suspension Application)

Heard Sri Rakesh Prasad, learned counsel for the appellant as well as learned A.G.A. for the State and perused the record.

This is the second bail application on behalf of the appellant. The earlier bail application was rejected on 10.01.2018 by the coordinate Bench of this Court.

The appellant is sole named accused person who was convicted under Sections 326A and 506 I.P.C., P.S. Hapur Dehat, District Hapur.

As per the allegations in this FIR there was infactuation by the appellant towards the victim and not getting the proper response, the frustrated lover has poured the acid upon the victim. There was a third degree burn over the neck, left arm, right ear and she struggle of life 45 days in the hospital.

As such, we do not find any good reason to exercise the power under Section 389(1) Cr.P.C. to suspend the sentence of the appellant. Accordingly, the same is **REJECTED**.

Since, the paper book is ready. Learned counsel for the appellant has already receipt the paper book and ready to argue the case on merit.

List this case for final submissions/ hearing in the fourth week of January, 2024 before appropriate Bench.

Order Date :- 23.11.2023

Israr