



S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO.2565/2024

RAKESH KUMAR @ DALU

Appellant(s)

VERSUS

STATE NCT OF DELHI

Respondent(s)

(ONLY PRAYER FOR INTERIM RELIEF IS LISTED)

Date : 12-07-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Appellant(s) Mr. Rishi Malhotra, AOR

For Respondent(s) Mrs. Aishwariya Bahti, A.S.G.  
Mr. Mukesh Kumar Maroria, AOR  
Mrs. Suhashini Sen, Adv.  
Mr. Rajesh Kr. Singh, Adv.  
Mr. Subhranshu Padhi, Adv.  
Mrs. Archana Pathak Dave, Adv.  
Mr. Gurang Bhushan, Adv.  
Mr. Kamal Kishor, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Heard learned counsel appearing for the parties.

Leave has been granted *vide* order dated 10<sup>th</sup> May, 2024.

The appellant has undergone incarceration for a period of more than 12 years. A grievance is made by learned counsel appearing for the State that in the year 2017, the appellant had jumped the parole and he was required to be arrested. We find that in year 2023, parole and furlough was granted to the appellant and he had returned within time.

Hence, a case is made out for suspension of sentence especially when no antecedent of the appellant is brought on record. Accordingly, substantive sentence stands suspended and appellant shall be enlarged on bail till the disposal of the appeal.

For that purpose, we direct that the appellant shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellant on bail on appropriate terms and conditions till the disposal of the appeal.

The prayer for interim relief is accordingly disposed of.

(KAVITA PAHUJA)  
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)  
COURT MASTER (NSH)