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

+ CRL.A. 406/2016

IMRAN SHEIKH

..... Appellant

Through: Mr. Sitab Ali Chaudhary, Advocate.

versus

STATE

..... Respondent

Through: Ms. Anita Abraham, APP along with
Inspector Ashok Giri, PS – GK-I, for
the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

04.10.2016

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Crl. M.A. No.15664/2016

Issue notice. Ms. Abraham accepts notice.

By this application, the applicant prays that he does not challenge his conviction and that his sentence may be reduced to the period already undergone in the interest of justice.

The appellant has been convicted under Section 393 IPC. The appellant Imran Sheikh and Aftab were two of the five accused, who were convicted by the Trial Court. As per the case of the prosecution, on 16.03.2012 at about 4:00 - 4:30 p.m., while the complainant Smt. Raj

Kharbanada was present at her house along with her son Rohan Kharbanda, accused Imran entered inside their house. He was accompanied by 3 other accused persons. According to PW-1/ Smt. Raj Kharbanda, one of the three persons, who was immediately behind Imran, pounced upon her and put gun on her head. Her son Rohan Kharbanda was forcibly taken to the bathroom. PW-1 was pushed down and threatened that her son would be killed if she raised the alarm. She was also taken to the bathroom, where her son was there. She was forced to sit on the floor. One of the other accused asked her for the keys of the locker. The aforesaid facts were established by the testimony of the prosecution witnesses, and consequently, the appellant was convicted.

There is no reason to interfere with the impugned judgment even otherwise as it appears to be premised on cogent evident. In view of the aforesaid, the impugned judgment convicting the appellant is sustained. However, the sentence of the appellant is reduced to the period already undergone.

The present application along with the appeal stand disposed of in the aforesaid terms.

VIPIN SANGHI, J

OCTOBER 04, 2016

B.S. Rohella