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

+ CRL.REV.P. 306/2016

DEEPAK

..... Petitioner

Through : Mr. Anurag Jain, Adv.

Versus

STATE (NCT OF DELHI)

..... Respondent

Through :Mr. Sudershan Joon, APP with SI
K.C. Meena, P.S. Ambedkar Nagar

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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28.07.2016

Crl. M.A. No. 6560/2016 (for condonation of delay)

For the reasons explained in the application, delay in filing the revision petition is condoned. Application is disposed of.

Crl. M.B. No. 845/2016 (for suspension of sentence)

Since I intend to hear the revision petition itself, this application is not being pressed and is disposed of as not pressed.

CRL.REV.P. 306/2016

Trial court convicted the petitioner under Sections 279/337/304-A IPC and sentenced him to face simple imprisonment for three months for

offence under Section 279 IPC, three months for offence under Section 337 IPC and one year for offence under Section 304-A IPC with fine of ₹5000/- and in default of payment of fine to undergo simple imprisonment for two months. Sentences have been directed to run concurrently. Fine is stated to have been deposited.

Petitioner preferred a criminal appeal, which has been dismissed by the Appellate Court.

That is how petitioner is before this Court by way of present revision petition.

During the course of hearing, revision petition has not been pressed on merits. It is contended that petitioner has already completed 11 months of sentence. It is submitted that jail conduct of the petitioner is satisfactory. Petitioner is not involved in any other crime. Petitioner is a poor person. He has three children. His family is living in a rented premises. Before his conviction, petitioner was earning only ₹7,000/- per month. In his absence, whole family is leading a life of vagary.

Keeping in mind the totality of circumstances, sentence of the petitioner is reduced to the period already undergone. Petitioner be released from jail, if not required in any other case.

Revision petition is disposed of in the above terms. Copy of this order be also sent to the Jail Superintendent.

Dasti.

A.K. PATHAK, J.

JULY 28, 2016

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