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

+ CRL.A. 566/2016 & Crl.M.B.No.1182/2016

ZAINUL

..... Appellant

Through: Mr. Atul Kumar & Mr.  
Abhimanyu Sharma, Advocates  
with Wife of Appellant

versus

THE STATE (GOVT OF NCT OF DELHI) ..... Respondent

Through: Mr. M.P.Singh, Additional Public  
Prosecutor for State with ASI  
Parkash Vir PS Pandav Nagar

**CORAM:**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**ORDER**

**13.06.2016**

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Impugned judgment of 4<sup>th</sup> May, 2016 convicts the appellant and order on sentence of 6<sup>th</sup> May, 2016 sentences him to RI for 04 years with fine and default clause for the offences under Sections 489-B/489-C/120-B of IPC. Vide last order, nominal roll of appellant was called and its perusal discloses that out of the substantive sentence of 04 years, appellant has already undergone sentence of 03 years 02 months and 01 day as on 11<sup>th</sup> June, 2016.

At the outset, learned counsel for appellant does not press this appeal on merits and rightly so, as no fault could be found with impugned conviction of the appellant. On the quantum of sentence, it is submitted that appellant is a labourer and has a wife and two minor children to

support and that appellant has already faced the agony of trial for the last one decade and so it is a fit case for reducing the sentence of the appellant to the period already undergone by him.

After having heard both the sides and on perusal of the impugned judgment and the nominal roll, I find it to be a fit case to reduce the sentence imposed upon appellant to the period already undergone by him while maintaining the appellant's conviction.

This appeal is partly allowed to the aforesaid extent.

The appeal and application are disposed of accordingly.

Appellant be apprised of this order through concerned Jail Superintendent. If not wanted in any other case, the appellant be released forthwith.

**(SUNIL GAUR)**  
**VACATION JUDGE**

**JUNE 13, 2016**

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