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

+ CRL.A. 511/2018

STATE OF NCT OF DELHI

..... Appellant
Through: Ms. Aashaa Tiwari, APP for the State
versus

GAURAV @ SANJAY

..... Respondent
Through: Mr Ashwani Kumar Sood with Mr.
Vishal Vimal, Advocates

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER
02.07.2018

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We have heard learned APP as well as learned counsel for the respondent convict on the aspect of sentence. The convict stands convicted under Section 363 IPC, 376 IPC and 506 IPC. The respondent has been produced from custody.

The victim of the crime was a minor. Learned counsel for the convict submits that the convict is a person of young age. He has also shifted his place of residence after the incident. He has already undergone a sentence of 4 years 6 months 28 days incarceration, as is evident from the latest nominal roll placed on record. Counsel for the convict, therefore, prays for a lenient view in the matter.

The offence for which the respondent stands convicted is a serious and heinous crime which plagues our society. Incidents of rape, particularly of minors, are being reported frequently and each such occasion results in dissatisfaction in the society with regard to the law and order situation in the city. In our view, it is necessary to adequately and sternly deal with the offenders of such heinous offences so as to send a strong message to the society.

Keeping in view the overall circumstances, we sentence the convict as follows:

- (i) For the offence under Section 506 IPC, we sentence the convict to rigorous imprisonment for a period of 2 years with fine of Rs. 10,000/-. In default of payment of fine, the respondent shall undergo further simple imprisonment for a period of 6 months.
- (ii) For the offence under Section 363 IPC, we sentence the convict to rigorous imprisonment for a period of 5 years with fine of Rs. 10,000/-. In default of payment of fine, the respondent shall undergo further simple imprisonment for a period of 6 months
- (iii) For the offence under Section 376 IPC, we sentence the convict to rigorous imprisonment for a period of 8 years with fine of Rs.25,000/-. In default of payment of fine, the respondent shall undergo further simple imprisonment for a period of 1 year.

All the aforesaid sentences shall run concurrently.

The respondent shall be entitled to the benefit of Section 428Cr.P.C.
He shall also be entitled to the benefit of the period of sentence already
undergone.

Order dasti under the signatures of Court Master.

VIPIN SANGHI, J

P.S.TEJI, J

JULY 02, 2018

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