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

+ **CRL.A. 1344/2013**

IRSHAD @ SADDAM @ GUDDAN

..... Appellant

Through: Ms. Anu Narula, Advocate

versus

STATE (GOVT OF NCT) OF DELHI

..... Respondent

Through: Ms. Aashaa Tiwari, APP for the State

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE P.S.TEJI

ORDER
24.01.2018

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The appellant is present with his counsel. The appellant has stated after holding consultations with his counsel that he accepts the impugned judgment, whereby he stands convicted in Sessions Case No.4/2012 arising out of FIR No.248/2011 under Section 302 IPC registered at PS Gandhi Nagar.

During pendency of this appeal, an application has been moved by the appellant under Section 7A of the Justice Juvenile Act being Crl.M.A. No.6022/2017. That application was allowed by this court on 14.09.2017. Thereafter, the Director, AIIMs had sent the report dated 11.10.2017 of the medical board comprising of experts, who opined that the age of the

appellant on the date of occurrence i.e. 06.09.2011 was on the lower side about 16 years.

The maximum sentence to which the appellant could have been subjected to considering that he was a juvenile on the date of occurrence is 3 years. However, he had already undergone sentence for 5 years 9 months 15 days as on 03.07.2017 which included the period undergone during trial. He had also earned remission of 14 months and 14 days. Consequently, he was directed to be released forthwith vide order dated 22.11.2017.

In view of the aforesaid, since the appellant does not wish to press the appeal, the same is dismissed as withdrawn. The bail bond, if any, furnished by the appellant stands discharged.

VIPIN SANGHI, J

P.S.TEJI, J

JANUARY 24, 2018

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