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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 422/2019 & CRL.M.(BAIL) 615/2019**

MANOJ GULIA Appellant

Through: Ms. Radhika Arora, Adv.

versus

STATE NCT OF DELHI Respondent

Through: Mr.Ashish Dutta, APP with SI
Rajender Singh, PS Malviya
Nagar, Delhi
Mr. Praveen Chauhan, Adv. for
the complainant

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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08.04.2019

CRL.A. 422/2019

1. Admit.
2. List in due course.
3. Trial Court record be requisitioned.

CRL.M.(BAIL) 615/2019

1. Learned counsel for the appellant submitted that the appellant was convicted for the offence under Section 326/149, Sections 147/148 r/w Section 149 and Section 452 r/w Section 149 of the Indian Penal Code ('IPC'), 1860 and vide order dated 13.2.2019 he was sentenced to undergo rigorous imprisonment of six years for the offence punishable under Section 326/149 of the IPC and to pay a fine of Rs.5,000/-, in default of which the appellant was to further undergo simple imprisonment of six months. The appellant was further sentenced to undergo rigorous imprisonment of one year for the offence punishable under Sections 147/148 r/w Section 149 of the IPC

and to pay a fine of Rs.1,000/-, in default of which, he was to further undergo simple imprisonment of 15 days. The appellant was further sentenced to undergo rigorous imprisonment of two years for the offence punishable under Sections 452 r/w Section 149 of the IPC and to pay a fine of Rs.2,000/-, in default of which, he was to further undergo simple imprisonment of one month. All the sentences were ordered to run concurrently.

2. Learned counsel for the appellant submitted that the appellant has already deposited the fine amount and the said fact is mentioned in the order on sentence dated 13.2.2019 passed by the Trial Court.

3. Learned counsel for the appellant further submitted that the appellant has been in judicial custody for more than five and a half years.

4. Learned counsel for the appellant prayed that in view of the aforesaid facts and circumstances and the fact that the disposal of the appeal may take time, the appellant may be admitted on bail.

5. Taking into consideration the period already undergone in this matter as well as the fact that the fine amount has already been deposited before the Trial Court, the order on substantive sentence of the appellant is suspended during the pendency of the present appeal, subject to his furnishing bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of Trial Court.

6. The application is disposed of accordingly.

Dasti.

CHANDER SHEKHAR, J

APRIL 08, 2019/rk