

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: February 15, 2019

+ CRL.A. 410/2013
MADHU @ MAMTAAppellant
Through: Nemo.

Versus

STATERespondent

Through: Mr. M.P. Singh, Additional Public
Prosecutor for State with SI Naresh
Kumar

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR
ORDER
(ORAL)

Vide impugned judgment of 24th November, 2012 appellant has been convicted under Sections 368 and 506 of IPC and for the offences punishable under Sections 5 and 6 of Immoral Trafficking (Prevention) Act, 1956 and vide order of 29th November, 2012 appellant has been sentenced to rigorous imprisonment for five years and fine of ₹3,000/- with default clause for the offence under Section 5 of the aforesaid Act and to rigorous imprisonment for seven years and fine of ₹3,000/- with default clause for the offence under Section 6 of the aforesaid Act.

In addition, appellant has also been sentenced to rigorous imprisonment for seven years with fine of ₹3,000/- with default clause for the offence under Section 368 IPC and for the offence under Section 506 (second part) IPC, she has been sentenced for rigorous imprisonment for five years with default clause.

Vide order of 23rd October, 2013 the sentence awarded to appellant was suspended for a period of four weeks to undergo a surgery but the interim suspension continued till 15th January, 2015 and thereafter, appellant was to surrender within four weeks. Upon failure of appellant to surrender, non-bailable warrant was issued against appellant which was received back unexecuted and thereafter, proceedings under Section 82 and 83 of Cr.P.C. were initiated against appellant and vide last order appellant has been declared a proclaimed offender.

None has been appearing on behalf of appellant on the last many dates of hearing, since she has absconded.

With the assistance of learned Additional Public Prosecutor for respondent-State, I have gone through the impugned judgment, order on sentence and the evidence on record and thereupon, I find that the deposition of the victim PW-2 and the other evidence on record amply justifies the conviction and the sentence awarded to appellant.

I find no infirmity in the impugned judgment and order on sentence.

Records be remitted back to trial court with direction to trial court to ensure that appellant undergo the sentence awarded, as and when she is arrested.

With direction as aforesaid, this appeal is accordingly disposed of.

(SUNIL GAUR)
JUDGE

FEBRUARY 15, 2019

p'ma