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

+ CRL.A. 1150/2018

ANIL

..... Appellant

Through

Mr. Kartickay Mathur, Adv.
(DHCLSC) with Mr. Swarkar
Kashyap, Adv .

versus

STATE

..... Respondent

Through

Mr.Panna Lal Sharma, APP for State.
ASI Yashpal, PS Krishna Nagar

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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08.11.2019

CRL.M.(BAIL) 1379/2019

Vide the present application, the applicant/appellant seeks suspension of sentence granted by the Trial Court vide order on sentence dated 17.07.2018 whereby the appellant has been sentenced to undergo SI for a period of 7 years and a fine of ₹5,000/- for the offence punishable under section 394/34 r/w Section 397 IPC and in default of payment of fine, to undergo SI for 1 year.

He is further sentenced to undergo RI for one year for the offence punishable under section 411 IPC.

Both the above sentences shall run concurrently.

It is not in dispute that out of total sentence of seven years, the

appellant/applicant has already undergone four years three months of incarceration as on 27.10.2019 without remission.

Taking into account the quantum of sentence imposed upon the appellant and the hearing of the appeal shall take substantial time, this Court is inclined to suspend the sentence of the appellant during the pendency of the appeal.

Therefore, the applicant shall be released on bail on his furnishing personal bond in the sum of ₹25,000/- with two sureties of the like amount to the satisfaction of the Trial Court.

The applicant shall not involve himself in any other case and in the event of any report against himself, this Court would consider the desirability of cancelling the suspension of sentence. The appellant shall also ensure his presence at the time of hearing of the appeal.

The application is allowed and disposed of.

Order *dasti* under the signatures of Court Master.

Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for compliance.

SURESH KUMAR KAIT, J

NOVEMBER 08, 2019

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