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

+ **CRL.A. 1052/2017**

ABHIMANYU @ GUDDU

..... Appellant

Through: Mr S. B. Dandapani, Advocate
(DHCLSC).

versus

STATE

..... Respondent

Through: Ms Meenakshi Chauhan, APP for
State with SI Virender Kumar, PS K.
N. Katju Marg.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.11.2019

CRL.M.B.1294/2019

1. The appellant has filed the present application seeking suspension of sentence till final disposal of the appeal.
2. The appellant was convicted of an offence under Section 395 of the IPC in connection with FIR No.259/2013. By an order dated 09.10.2017, the appellant was sentenced to serve Rigorous Imprisonment for a period of seven years and a fine of ₹3,000/-. In default of payment of fine, he would serve simple imprisonment for a further period of three months.
3. The nominal roll indicates that the appellant has already served actual custody of four years four months and nine days, as on 18.10.2019. The appellant is required to serve a further term of one year eleven months and thirteen days, as on 18.10.2019.

4. It is unlikely that the present appeal can be heard shortly and, therefore, this Court considers it apposite to suspend the sentence pending the consideration of the appeal. This is considering that the appellant has already served a substantial portion of the sentence. It is also pointed out that sentence awarded to the co-accused (Vicky @ Chinese) was also suspended by an order dated 07.11.2019 passed in CrI. A.1173/2017.

5. In view of the above, the sentence awarded to the appellant is suspended till disposal of the appeal. The appellant shall be released on bail, on his furnishing a personal bond in the sum of ₹10,000/- with two sureties of the equivalent amount to the satisfaction of the concerned Jail Superintendent. This is also subject to the authorities verifying the appellant's address. The appellant shall not leave the National Capital Territory of Delhi.

6. The appellant shall report to the concerned SHO, Police Station K.N. Katju Marg on every second and fourth Monday of a calendar month at 10:30 A.M.

7. The application is allowed in the aforesaid terms.

VIBHU BAKHRU, J

NOVEMBER 20, 2019
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