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

+ **CRL.REV.P. 894/2022**

RAMESH CHAND AGGARWAL Petitioner

Through: Mr. Harish Pandey, Adv.

Versus

STATE NCT OF DELHI Respondent

Through: Mr. Digam Singh Dagar, APP and SI
Sunder, PS Nangloi.

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Date of Decision: 21.08.2023.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CRL.M.(BAIL) 750/2023 & CRL.REV.P. 894/2022

1. The present revision petition has been filed assailing the order/judgment dated 12.12.2022 whereby the learned Principal District and Sessions Judge, Tis Hazari Court (West District) upheld the conviction recorded by the learned MM-04, West District, Tis Hazari Courts, Delhi vide order dated 16.09.2020 however reduced the sentence.
2. The learned MM vide order on sentence dated 21.09.2020 has

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sentenced the petitioner to simple imprisonment ('SI') for a period of 2 years and also sentenced to pay a fine of Rs. 10,000/- to be given as compensation to the family of the victim.

3. However, learned Principal District and Sessions Judge vide order dated 12.12.2022 reduced the sentence awarded by the learned Trial Court and petitioner was directed to undergo simple imprisonment for a period of 6 months and also to pay a fine of Rs. 1,000/- and in default of payment of fine under Section 279 IPC simple imprisonment for a period of one week and to pay a fine of Rs. 25,000/- and in default of payment of which, he shall undergo simple imprisonment for a period of 3 months under Section 304A IPC, which fine amounts be released to LR's of the deceased, namely Karan under Section 357 Cr.P.C.
4. Learned Principal District and Sessions Judge also extended the benefit of Section 428 Cr.P.C.
5. Learned counsel for the appellant states at bar that fine has already been deposited. Learned counsel states that he is not challenging the convictions and submits that a lenient view may be taken on sentence.
6. As per the nominal role dated 09.08.2023 the appellant has already undergone custody for a period of 7 months and 26 days and his behaviour has remained satisfactory.
7. I have gone through the order of learned Sessions Judge and learned MM. I consider that there is no ground to interfere in the order of conviction. However, the sentence is reduced to the extent period already undergone.



8. Hence the revision petition is partly allowed and the petitioner is sentenced to the period already undergone. Petitioner is directed to be released if not required in any other case.
9. In view of the submissions made, the present revision petition along with the application stand disposed of.
10. Copy of this order be sent to concerned Jail Superintendent.

DINESH KUMAR SHARMA, J

AUGUST 21, 2023/AR

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