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

+ CRL.A. 101/2023

HINA BASHIR BEIGH

..... Appellant

Through: Nemo.

Versus

NATIONAL INVESTIGATION AGENCY

..... Respondent

Through: Mr. Rahul Tyagi, SPP for NIA with  
Mr. Javed Iqbal, Mr. Azam Rehmani,  
Mr. Mohd. Zeeshan, Ms. Akansha  
Jain, Ms. Shashi, Ms. Deepti Nain,  
Mr. Mukesh Pathak, Mr. Uttam Singh  
and Mr. Deepak Gupta, Advocates.

+ CRL.A. 968/2023

SADIYA ANWAR SHAIKH

..... Appellant

Through: Mr. Kartik Murukutla, Advocate *via*  
video-conferencing.

Versus

NATIONAL INVESTIGATION AGENCY

..... Respondent

Through: Mr. Rahul Tyagi, SPP for NIA with  
Mr. Javed Iqbal, Mr. Azam Rehmani,  
Mr. Mohd. Zeeshan, Ms. Akansha  
Jain, Ms. Shashi, Ms. Deepti Nain,  
Mr. Mukesh Pathak, Mr. Uttam Singh  
and Mr. Deepak Gupta, Advocates

+ CRL.A. 971/2023

HINA BASHIR BEIGH

..... Appellant

Through: Nemo.

Versus

NATIONAL INVESTIGATION AGENCY

..... Respondent

Through: Mr. Rahul Tyagi, SPP for NIA with  
Mr. Javed Iqbal, Mr. Azam Rehmani,



Mr. Mohd. Zeeshan, Ms. Akansha Jain, Ms. Shashi, Ms. Deepti Nain, Mr. Mukesh Pathak, Mr. Uttam Singh and Mr. Deepak Gupta, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**  
**13.05.2024**

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1. At the very outset, Mr. Kartik Murukutla, Advocate appearing on behalf of the appellant - Sadiya Anwar Shaikh (CRL.A. 968/2023) seeks his discharge. Permitted.
2. All these three appeals are being taken up together and disposed of by this common order in view of recent developments.
3. These appeals have been preferred under Section 21 (4) of the National Investigation Agency Act, 2008 ('NIA') read with Section 482 of the Code of Criminal Procedure, 1973 seeking setting aside of orders dated 25.11.2022 and 28.07.2023 passed by the learned Court of Sessions in RC No.11/2020/NIA/DLI.
4. Appellant- Hina Bashir Beigh has filed two separate appeals. By virtue of her first appeal, being Crl. A.101/2013, she challenges order dated 25.11.2022 whereby she has been denied bail.
5. Appellants -Hina Bashir Beigh and Sadiya Anwar Shaikh were facing trial together and they both were directed to be charged by the learned Trial Court vide order dated 28.07.2023, which has been challenged by both of them by filing separate appeals.
6. Pursuant to order dated 08.05.2024 passed by this Court, the



respondent-NIA has produced before this Court copy of Order on Sentence dated 06.05.2024 passed by the learned Trial Court, whereby the matter has already been disposed of and the accused persons have already been sentenced.

7. This Court is informed by learned counsel for respondent-NIA that after charges were ascertained and accused persons were held guilty vide order dated 18.04.2024, the arguments were heard on the issue of sentence by the learned Trial Court on 06.05.2024 and all the accused persons, including the appellants herein, were sentenced. The relevant portions of the Order on Sentence dated 06.05.2024 read as under:-

**“A-2 Hina Bashir Beg**

6.1 *Convict Hina Bashir Beg is facing conviction for offences under Section 38(2) and 39(2) of UA(P) Act. These offences pertain to membership of a terrorist organization and offences relating to extend support to terrorist organization. It is a matter of common knowledge that an organization cannot exist and flourish without efficient and dedicated members who provide continuous support and impetus to it. Therefore, considering all the circumstances of the case and close association of convict Hina Bashir Beg with convict Jahanzaib aggravating and mitigating factors, convict Hina Bashir Beg is sentenced to imprisonment for a period of 8 years u/s 38(2) of UA(P) Act and punishment for a period of 8 years u/s 39(2) of UA(P) Act. No fine is imposed for either of the offences.*

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**A-4 Sadiya Anwar Shaikh Sadiya**

8.1 *Convict Sadiya Anwar Shaikh Sadiya is also facing charges of being a member of terrorist organization and extend her support to the terrorist organization. However, a distinguishing point of her role is that she was not engaged in identified or radicalizing other persons and convicting or brain-washing them to be part of any terrorist organization. Though, in the first blush, the*



*allegations against her to procure suicide jackets may seem extremely grave, which they actually are, yet the act of convict having plead guilty shows her bona-fide and to undergo the punishment despite knowing the maximum extent of punishment being extended to life period reflects that still there is a probability of reformation in the convict Sadiya Anwar Shaikh Sadiya.*

*8.2 Therefore, considering the facts and circumstances of the case, role of accused, aggravating and mitigating factors, convict Sadiya Anwar Shaikh Sadiya is sentenced to imprisonment for a period of 7 years each for offences u/s 38 and 39 of UA(P) Act. No fine is imposed for either of the offences. ”*

8. There is no appearance on behalf of appellants today and it is quite obvious to us that since they have already pleaded guilty, convicted and sentenced, nothing survives in these appeals.

9. Resultantly, these appeals are hereby dismissed as having become infructuous.

**SURESH KUMAR KAIT, J**

**MANOJ JAIN, J**

**MAY 13, 2024/uk**