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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 560/2024**
KHAIRUNNISHA AND ANRPetitioners
Through: Mr. Asad Iqbal, Adv.
versus

THE STATE OF NCT OF DELHIRespondent
Through: Mr. Raghuwinder Varma, APP for the
state with ASI Ramesh Chand, PS
Jamia Nagar.

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER
06.08.2024

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1. The present criminal revision petition under Section 397/401 of Cr. PC has been filed against the judgment and order dated 15.04.2024 passed by Learned Additional Sessions Judge-03, District South East, Saket Court, New Delhi, in Criminal Appeal No.503/2019 (Mohd Shakeel vs. State of NCT of Delhi).
2. This judgment dated 15.04.2024 passed by Learned Additional Sessions Judge-03, District South East, Saket Court, New Delhi, in Criminal Appeal No.503/2019 (Mohd Shakeel vs. State of NCT of Delhi) affirmed the judgment dated 07.08.2019 and the order on sentence dated 30.08.2019 passed by Ld. Metropolitan Magistrate-08, South-East, Delhi, in Criminal Case/FIR No. 172/2011 P.S Jamia Nagar, whereby all the appellants were convicted under Sections 451/427/324/34 IPC and were sentenced to six months of simple imprisonment for the commission of the offense punishable under Section 451/34 IPC along with a fine of Rs. 1,000/-, six months of



simple imprisonment for the commission of the offense punishable under Section 324/34 IPC along with a fine of Rs. 1,000/-, and for the commission of the offense punishable under Section 427/34 IPC.

3. The present petition has been filed challenging the order dated 15.04.2024 of learned Sessions Court, District South East, Saket Court, New Delhi. However, during the course of submissions, learned counsel for the Appellants submits that as per instructions they do not want to challenge the legality and validity of the conviction recorded by learned Trial Court and upheld by the learned Sessions Court.
4. In view of the submissions made, the order on conviction dated 30.08.2019 passed by learned MM-08, South East, Saket Courts, New Delhi and upheld by the learned Session Court on 15.04.2024 is reaffirmed. However, learned counsel submits that a lenient view be taken in the matter of sentence.
5. As per the nominal roll dated 30.04.2024, the appellant Kherunisha is 64 years old and has already undergone more than 4 months of her sentence. Similarly, Mohd. Faisal has also undergone a similar period of custody. There are no other criminal records against either of the appellants.
6. In view of the submissions made, the Appellants have already undergone the period of their conviction. Both petitioners are to be released if they are not required in any other case. Hence, the petition stands disposed of accordingly.

DINESH KUMAR SHARMA, J

AUGUST 6, 2024/Pallavi/NA