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

+ **CRL.REV.P. 798/2022**

SANDEEP

.....Petitioner

Through: Mr. Lokesh Ahlawat, Advocate
(through VC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for the State
with SI Raj Kumar

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

21.04.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

CRL.REV.P. 798/2022 & CRL.M.(BAIL) 1439/2022 (stay)

1. It appears that the petitioner was convicted for offence under Section 279/337/338/304A IPC and was sentenced. The appeal against conviction and sentence was dismissed by the Court of Sessions. Thereafter, the present revision petition was filed, in which after hearing the counsel for petitioner, the predecessor bench dismissed the revision petition by way of detailed order dated 01.10.2024. However, after dismissal of the petition, counsel for petitioner pleaded for reduction of sentence and also sought time to obtain instructions for payment of compensation, so the predecessor bench adjourned the dismissed petition.

2. Since the petitioner did not appear on 01.10.2024, the predecessor bench directed his appearance on 14.10.2024. But on 14.10.2024, the petitioner did not appear, so the predecessor bench posted the matter to



10.02.2025 directing appearance of the petitioner as well as victims. On the next date, 10.02.2025 the predecessor bench adjourned the matter to this date. Today, the petitioner has appeared.

3. Since the petition already stood dismissed vide order dated 01.10.2024 of the predecessor bench, there is no scope left for separate hearing on sentence. Order dated 01.10.2024 was passed by the predecessor bench in presence of counsel for the petitioner. Nothing prevented the counsel for petitioner from requesting the predecessor bench not to dispose of the entire petition. But no such request was made.

4. Further as regards compensation, as mentioned above, the victim of this case died. Any compensation for death of the victim to his legal representatives would be tantamount to blood money, not recognized by law in India.

5. Despite the aforesaid, I heard the learned counsel for petitioner to the limited extent of sentence. It is submitted by learned counsel for petitioner that the petitioner is a first time offender and sole bread earner of his family, so lenient sentence can be awarded.

6. The offence under Section 304A IPC is punishable with imprisonment of either description for a term which may extend to two years or with fine or with both. The learned trial court has already imposed the sentence with requisite leniency. The learned trial court directed the petitioner to undergo simple imprisonment for three months for offence under Section 279 IPC, simple imprisonment for three months for offence under Section 337 IPC, simple imprisonment for six months for offence under Section 338 IPC and simple imprisonment for one year for offence under Section 304A IPC, all sentences to run concurrently with benefit of Section 428 Cr. P.C. I find no



reason to alter this sentence awarded to the petitioner, which sentence was upheld by the appellate court as well.

7. The petitioner is immediately taken into custody to serve the awarded sentence. No further orders are called for.

8. *Dasti* copy of this order be given forthwith to the petitioner as well as prosecution side.

GIRISH KATHPALIA, J

APRIL 21, 2025

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Click here to check corrigendum, if any