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

+ **CRL.A. 1353/2019**

STATE

.....Appellant

Through: Mr. Amit Ahlawat, APP for State
Insp. Naveen Kumar PS Samaypur
Badli

versus

SADDAM HUSSAIN & ORS

.....Respondent

Through: Mr Amit Kr. Jha, Ms Jyoti Dedh and
Ms Akansha Chaudela, Advocates
for R-1, 3, 4, 7 and 8.
Mr. Arun Sharma Ms. Shweta
Sharma & Mr. Bhsnu Kumar,
Advocates for R-2, 5 & 6

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

16.08.2024

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1. This appeal is filed by State impugning the order on sentence dated 25th July 2019 passed by the ASJ in SC No.58458/16 emanating out of FIR No.698/2013, PS S P Badli.
2. By the impugned order on sentence, convicts-respondents were released on the period already undergone, which was mostly in the range of 13 to 14 months, apart from one Sonu who was in custody only for 3 days (but it is noted that he was convicted for offence under Section 412 IPC).
3. A perusal of the judgment of conviction notes that all accused had pleaded guilty for their alleged involvement in robbery of computer, microwave and cookers from a factory located in S P Badli, Delhi.
4. The sentencing court recorded that all the convicts were in the age



group of 25 to 35 odd years and had already been JC for 13 months; they all were from poor economic strata of society and had families which they needed to support. Further, the convicts were employed in small jobs such as *rehri* vendor, driver, machine operator, battery rickshaw puller etc. Accordingly, a lenient view had been taken, considering that they had pleaded guilty as well.

5. Accordingly, this Court does not see any reason to allow this appeal preferred by the State, also considering that already 5 ½ years have passed, since the impugned order was passed, and there is no adverse report filed of any of the convicts being involved in any other offence.

6. The appeal is accordingly dismissed.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 16, 2024/sm