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

+ CRL.A. 266/2025

KANCHI

.....Appellant

Through: Ms. Sana Juneja, Mr. Faraz Maqbool
(DHCLSC) and Ms. Deepshikha,
Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Ayushi Sharma, P.S.
Safdarjung Enclave

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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14.10.2025

CRL.M.(BAIL) 483/2025 (suspension of sentence)

1. By way of the present application, the appellant seeks suspension of sentence awarded to him *vide* judgment of conviction dated 07.08.2024, and order on sentence dated 02.09.2024, in SC No. 02/2017, passed by the learned Additional Sessions Judge (SC-POCSO), South District, Saket Court, New Delhi, in case arising out of FIR bearing No. 672/2014, registered at Police Station Safdarjung Enclave, Delhi, for the commission of offence punishable under Sections 354/451 of IPC and Section 10 r/w Section 9(m) of the POCSO Act, 2012.
2. By way of the judgment of conviction, the appellant has been held guilty for the commission of offence punishable under Sections 354/451 of



IPC and Section 10 read with Section 9(m) of the POCSO Act. He was sentenced to undergo (i) rigorous imprisonment for a period of five years and to pay a fine of Rs.20,000/- for commission of offence punishable under Section 10 of POCSO Act and in default of payment of fine, to undergo simple imprisonment for a period of two months; and (ii) rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/- for the commission of offence punishable under Section 451 of IPC and in default of payment of fine, to undergo simple imprisonment for a period of fifteen days. Both the sentences awarded to the convict were ordered to run concurrently. The benefit of Section 428 of Cr.P.C. was granted to the appellant.

3. The Nominal roll of the appellant has been received.

4. The learned counsel appearing on behalf of the appellant states that the appellant has been falsely implicated in the present case. He further states that the appellant/applicant is facing trial since the year 2014 and is about 48 years of age. It is also submitted that the appellant has been in judicial custody for more than 09 months out of total sentence of 05 years. He further states that the appellant is not involved in any other case and the jail record shows that his conduct is satisfactory. Therefore, the sentence awarded to the appellant/applicant in the present case may be suspended during the pendency of the present appeal.

5. In light of the aforesaid facts and circumstances of the case, the present application is allowed. It is directed that the sentence awarded to the appellant/applicant shall remain suspended during the pendency of the present appeal, subject to his furnishing a personal bond to the tune of Rs. 10,000/- with one surety bond of the like amount, subject to satisfaction of



the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions, subject to verification that the amount of fine is deposited with the learned Trial Court, by the appellant:

- i) The appellant/applicant shall not leave the country without prior permission of the learned Trial Court.
 - ii) In case of change of residential address/contact details and phone number, the applicant shall promptly inform the same to the concerned Trial Court.
6. Accordingly, the present application stands disposed of.
- CRL.A. 266/2025**
7. List in due course.
8. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 14, 2025/ns