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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 542/2025 & CRL.M.(BAIL) 896/2025**
AMIT TIWARIAppellant

Through: Ms. Monika Tripathy and Mr. Gautam
Yadav, Advs.

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Ritesh Kr. Bahri, APP for State with
Ms. Divya Yadav, Adv.
Inspectors Vikram Singh, Anuj Kumar,
PS Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **08.09.2025**

CRL.M.(BAIL) 896/2025 (*seeking suspension of sentence and release of the
appellant on bail*)

1. By way of the present application, under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the appellant seeks Suspension of Sentence and consequent release on bail till final disposal of the appeal in question.
2. The appellant has been held guilty for commission of offence under Section 302 of the Indian Penal Code (IPC) and has been handed out Life Sentence along with fine of Rs. 10,000/-, in default of payment, to further undergo Simple Imprisonment for a period of three months.
3. As per the Nominal Roll, the appellant has undergone actual custody of around five and a half years, as on 19.05.2025. Though, Nominal Roll does not disclose involvement of the appellant in any other case, fact remains that his Medical Status Report has also been annexed which indicates his general condition to be stable and when he was lastly reviewed by Psychiatrist, no



incident of any fresh complaint was reported. Further, his vitals were found to be stable and he was advised to continue with the same medication.

4. During course of the arguments, it was contended that it was a case of false implication. However, such argument does not cut any ice as the appellant has been held guilty for committing murder of his brother and the conviction is, primarily, based on the statement of his mother, who is the eye witness of the murder in question. She has fully supported the case of prosecution and her deposition is also corroborated by the other witnesses of the prosecution.

5. At this juncture, while taking *prima facie* view of the matter, the learned counsel for the appellant has not been able to show any material which may render testimony of the mother of the appellant unreliable. Moreover, no reason has been assigned as to she would falsely implicate her own son.

6. Keeping in mind the overall facts of the case, seriousness of the allegations and the fact that the period of incarceration is also not very huge, this Court does not find any compelling reason to suspend his sentence and to release him on bail, till disposal of the present appeal.

7. The present application is, accordingly, dismissed.

8. It is, however, clarified that the above said observations are purely for the purposes of disposal of the present application and shall not be taken as a final expression on the merits of the case.

VIVEK CHAUDHARY, J.

MANOJ JAIN, J.

SEPTEMBER 8, 2025/neelam/kp