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

+ CRL.A. 483/2024 & CRL.M.A. 15709/2024 (Stay), CRL.M.A. 15711/2024 (Add. document)

AS

.....Appellant

Through: Ms. Gayatri Nandwani and Ms. Mudita Sharda, Advocates alongwith Appellant in person.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for the State W/SI Preeti, PS Mangolpuri.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

17.01.2025

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1. This hearing has been done through hybrid mode.
2. The present appeal under Section 351 of the Cr.P.C. has been filed assailing the impugned judgment of conviction and order on sentence both dated 19.03.2024 passed by learned ASJ-Special Fast Track Court, North-West District, New Delhi in Sessions Case No. 51787/2016, in FIR No.353/2013, under Section 344 of the Cr.P.C., registered at P.S. Mangol Puri.
3. *Vide* the impugned judgement of conviction, the appellant has been convicted under Section 344 of the Cr.P.C. for deliberately giving false evidence on oath. Further, the appellant has been sentenced to undergo 2 months of simple imprisonment.
4. Admit.
5. Learned counsel appearing on behalf of the appellant, on instructions from the latter, who is present in Court today, submits that the appeal *qua* the



impugned judgment of conviction is not being pressed and limits the challenge to the order on sentence only.

6. As per the order on sentence, the appellant, as noted above, has been sentenced to undergo simple imprisonment for a period of 2 months.

7. Learned counsel appearing on behalf of the appellant submits that the appellant is a single woman looking after the children of her sister, who is stated to be mentally disturbed. It is submitted that the appellant is the only person who is looking after the family and in case she has to undergo the sentence awarded to her, severe hardships would be brought upon her family members. It is further submitted that the appellant is 40 years of age.

8. It is further pointed out that the judgment of acquittal dated 03.02.2024 *qua* the accused persons was passed in FIR No. 353/2013 under Sections 366/376D/323/506 IPC registered at P.S. Mangol Puri.

9. In view of the above, the impugned order on sentence dated 19.03.2024 is modified to the extent that the appellant is sentenced till the rising of the Court and payment of fine of Rs. 500/- to be deposited before the Worthy Registrar General of this Court within fifteen days.

10. The appeal is disposed of in above terms.

11. Pending application(s), if any, also stand disposed of.

12. Order be uploaded on the website of this court *forthwith*.

13. At the time of signing of this order, the Court Master of this Court has been informed by the *Naib Court* that the Appellant was present till the rising of this Court.

JANUARY 17, 2025/sn

AMIT SHARMA, J

[Click here to check corrigendum, if any](#)