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

CRL.A. 741/2025, CRL.M.A. 17862/2025 & CRL.M.(BAIL)
1156/2025

MOHD.ISHAQAppellant

Through: Mr. Sumit Kr. Khatri, Advocate

versus

GOVT. OF NCT OF DELHI & ANR. & ORS.Respondents

Through: Mr. Utkarsh, APP for the State with
Insp. Vijay Kumar, P.S. Mandawali

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+ CRL.A. 742/2025, CRL.M.A. 17860/2025 & CRL.M.(BAIL)
1158/2025

AFAQ @ SHERUAppellant

Through: Mr. Sumit Kr. Khatri, Advocate

versus

GOVT. OF NCT OF DELHI & ANR.Respondents

Through: Mr. Utkarsh, APP for the State with
Insp. Vijay Kumar, P.S. Mandawali

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CRL.A. 743/2025, CRL.M.A. 17864/2025 & CRL.M.(BAIL)
1159/2025

MOHD. AKHLAQAppellant

Through: Mr. Sumit Kr. Khatri, Advocate

versus

GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Utkarsh, APP for the State with
Insp. Vijay Kumar, P.S. Mandawali



CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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31.07.2025

1. Criminal Appeals under Section 415 of the Bhartiya Nagrik Suraksha Sanhita, 2023 against the judgment dated 28.03.2025 whereby the Appellants have been convicted under Sections 308/34 IPC and have been sentenced to imprisonment for 03 years and compensation of Rs.10,000/- each to the injured *vide* order dated 24.04.2025.
2. Learned Counsel on behalf of the Appellants submits that they have already suffered incarceration of one month and 20 days in jail. Furthermore, they have already paid the compensation amount of Rs.30,000/- in all to the Respondent No. 2/Complainant. It is further submitted that Rs.1,10,000/- in addition, has been given to the Respondent No. 2/Complainant, which is confirmed by him.
3. It is submitted that the main person, who had caused stab injuries to the injured was one Deepak, who has died and the trial has been abated against him. All the 03 Appellants, in fact, had only come on hearing the fight and were in no way involved with the commission of the offence.
4. It is submitted that though the conviction is not challenged, some lenient view may be taken and the sentence may be modified.
5. The learned Prosecutor submits that appropriate modification of the sentence may be done in view of the settlement with the Respondent No.2/Complainant.
6. **Submissions heard and record perused.**
7. Essentially, the fight took place between the Complainant and one



Deepak, who had inflicted stab injuries to him. It has also been noted in the judgment that the Accused persons/Appellants were not harmed and did not inflict any injury.

8. It was observed in the judgment dated 28.03.2025 that there is no previous enmity between the Appellants and the Victim Rajan and there is no apparent premeditation to commit the alleged offence. The offence allegedly happened when a verbal altercation took place between the Victim and the co-accused Deepak who brought the knife and gave several stab injuries to the Victim. The injuries were not on the vital parts of the body. There is no opinion of the Doctor as to the nature of the injuries received by the Victim.

9. Considering all these facts and also that the Petitioners have already suffered imprisonment for one month and 20 days and also additionally suitably compensated the injured, the Order on Sentence dated 24.04.2025 is modified to the period of sentence already undergone and the amount of Rs.30,000/- already stands paid in addition to the additional compensation. The sentence is accordingly modified.

10. The Appeals alongwith pending Applications, stand disposed of.

NEENA BANSAL KRISHNA, J

JULY 31, 2025

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